METHODISM AND SLAVERY:

WITH OTHER MATTERS IN

CONTROVERSY BETWEEN THE NORTH AND THE SOUTH;

BEING A

REVIEW

OF THE

MANIFESTO OF THE MAJORITY,

IN REPLY TO

THE PROTEST OF THE MINORITY, OF THE LATE GENERAL CONFERENCE OF THE METHODIST E. CHURCH, IN THE CASE OF BISHOP ANDREW.

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PRESIDENT OF TRANSYLVANIA UNIVERSITY.

"The unjust Judge is the capital remover of land-marks." LORD BACON.

"There is no medium between the power of the *Law* and the arbitrary power of men; and the arbitrary power of men, in whatever form, is *despotism*." BAXTER.

"An authentic kind of falsehood, that with authority belies our good name, to all nations and posterity. ..... If the substantial subject be well forged out, we need not examine the sparks which irregularly fly from it." SIR THOMAS MOORE.

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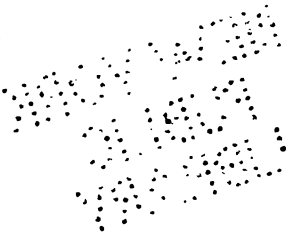

REVIEW, &c.

The more ostensible merits of the controversy, in the case of *Bishop Andrew*, have received a degree of publicity, through the medium of the Press, which seems to supercede the necessity of any great extent or minuteness of preliminary statement, in order to approach the subject fairly and without disadvantage, in an attempt to understand it and estimate its merits, whether as it regards the parties in controversy, or the Church at large. All the material facts and principles, involved in the controversy, pro and con, stand out with sufficient prominence, in the Protest of the Minority and Reply of the Majority; and the facts and reasonings, or rather assumptions and conclusions of these Documents, may be considered, as furnishing *the proper issue* between the parties, and the true text of the discussion, upon which we enter. And as the subject of separation, as it regards the North and South of the Methodist Episcopal Church, turns mainly, upon the question of slavery, not as connected with the case of Bishop Andrew, but in its broader and more general aspects, I shall principally confine myself to the appropriate topics, indicated by such limitation. Appeal to other matters, such as the proceedings in the case of Bishop Andrew, and kindred developements, will be resorted to by the way, as legitimate methods of proof and illustration, in relation to the facts and principles involved in the discussion. Believing that a careful analysis of the whole movement, on the part of the late General Conference, in the case of Bishop Andrew, will show that the assault upon him, was but a masked battery, intended to conceal the real point and object of attack, I shall rely less upon the extra-legal proceedings in his case, than upon other aspects and relations, in which the subject presents itself. In the instance of the struggle alluded to, it was obviously, on the part of the North, a contest to *settle a principle* unknown to the constitution and laws of the Church, and the case of Bishop Andrew was made the occasion and pretext, to bring the matter to trial. The prosecution of Bishop Andrew was a moot case, the determination of which, not according to law, but in the chancery of party tactics, was to lead to the ulterior results of additional legislative action, on the subject of slavery. The whole course of the majority shows clearly, that they did not consider Bishop Andrew's connection with slavery, as an offence in the judgment of law, but as something that ought to be an offence. They thought it fit to constitute an offence, and labored long and hard to accomplish it. It was an extra-legal movement, to accomplish a purpose unknown to the law, and an act, therefore, the manner of which was as unlawful as the matter. It was seen and felt, that no statutable process could be sustained against the Bishop, and hence a resort to *expost facto* legislation, and by consequence, an invasion of constitutional right. In the case of Bishop Andrew, we have a judicial sentence, in the shape of a declaratory judgment, based not upon law, but upon opinion over-riding law—the "*sense*" of the General Conference, as to what law ought to be—as to what must become law, before the North will cease to agitate the subject of slavery, and add to existing encroachments, upon the rights and peace of the South. The authority of the General Conference to enquire into the conduct of Bishop Andrew, and deal with him according to law and rule, no one questions; it was the undoubted right of the Conference. But

when a lawful authority, proceeds to unlawful demands or action, and by means equally unknown to law and usage, the claim of authority, by the trespass upon right, is vitiated, and the procedure becomes null and void; and this we conceive to have been the case in the instance of Bishop Andrew. Not only was Bishop Andrew arraigned, but under the hallucination of the absolutism of the General Conference, the law itself was arraigned, and *apart* from its arbitrament, the judgment of a majority became the only rule of action and standard of right. We propose an examination of the subject, having for its object, a simple statement of the reasons and facts, which compelled the South to assume the position and take the stand they did, with regard to a separation of the general or federal jurisdiction of the Church, in order to avoid the more serious evil of utter division and disunion, throughout the whole Church. We may have conceived of the case too strongly, and whether right or wrong, in our convictions, it seems proper that our conduct and the motives by which we were actuated, should be presented in their true light. As distinguished northern men, are as far from agreeing among themselves, as the North and the South are, with regard to the real character of their own action, we ought certainly to be judged, with some share of the indulgence, currently reciprocated among the sub-divisions of the Northern party. Drs. Durbin, Peck, and Elliott, in the Reply to the Protest, say the action in Bishop Andrew's case, was no trial—was not judicial in any sense—was not intended or thought of as a trial. Dr. Bond and others, say this is all a mistake—an utter misconception of the facts. They assure the Church and the world, that it *was a trial*, and exhibits all the essential elements of judicial action. A third party make it a mere executive "regulation." The Protest, written before the light of these contradictions had been shed upon the South, assumes, that to charge with delinquency and institute enquiry, is a judicial process, inasmuch as there is the implication of jurisdiction, law, responsibility, and judgment, and regards the procedure as extra-judicial, because the whole invoice of grievances, was unknown to existing law—designed to regulate the whole subject matter of complaint. The Protest was presented with the full conviction, that under semblance of conformity to the constitution and law, an unlawful use had been made of both, to accomplish what was not contemplated by either. The General Conference of 1836 say, in their official address, in allusion to the subject in question, "every man should be presumed to be innocent, until proved guilty, before some competent tribunal." Of what was Bishop Andrew found guilty, and in view of what law? The only law which could possibly be invoked with any semblance of justice, was known to protect him, and yet party opinion triumphs over law and justice, and like the irresolute Pilate, they first declare him innocent, and then, arraying the act against their own decision, they proceed to scourge him. In comparing the law and the conduct of Bishop Andrew, we can find no adequate cause for the action in his case. We believe the real cause lies deeper and dates farther back. Why was law declined, and opinion, and Northern and foreign popular feeling appealed to, against Bishop Andrew? Having a law on slavery, even the non-prohibition of the act charged as an offence, rendered it lawful, apart from the fact, that express provision of law covered the case. The Discipline expressly provides, that where circumstances remove a case from within the province of the general principle, no individual shall suffer from any application of the law. In Bishop Andrew's case, that which the law excepts in terms, is made the sum of his offence. What the law declines exacting, and actually dispenses with, is made the sum of duty. We would not arraign motive, and can readily conceive how passion may be excited into sentiment, and aversion roused into activity, leading to the most unhappy results, while the actors are unconscious of the real character of their own course of action, or

the evils they inflict. It did seem to us, at the time, and subsequent events have been but too well calculated to confirm the impression, that hostility to the South was the moral type of the whole movement, and that it was intended to teach us that a *Northern* altar must hereafter sanctify the gifts of the Church. The majority could not consider the conduct of Bishop Andrew as *morally* wrong, for they not only allow, but expressly authorize it, in the case of his scriptural Peers—the Eldership, or College of Presbyters. They could not regard his conduct as *officially* wrong, for they publish to the world, that there is neither prohibition nor requirement, connected with the office, in the shape of law, and hence infer, that the *lex non scripta* of Northern prejudice, on the subject of slavery, must be the standard of judgment, and constitute the tenure, by which Bishops of the Methodist Episcopal Church, are hereafter to hold office.

But further: the abstract principles and favorite dogmas of abolitionism, in the Methodist Episcopal Church, had had their day of disturbing notoriety, and were regarded by the South, as nearly defunct, until quickened into activity and dramatized, by the anti-slavery party of the late General Conference. It was the conviction of the South, that this party, dissatisfied with the conservative principles upon which they had formerly acted, found themselves, as a body, without principles upon which they could act as they wished, and it became necessary that they should adopt new ones. It is not assumed, that there was any formal coalition between the Abolition and anti-slavery parties; it is believed that this was not the case. But there was, at the same time, a mingling of parties for specific action—to accomplish given purposes, in which the parties were deeply if not equally interested. The policy and movements of the old conservative party, while in a state of preparation for action, during the early part of the Conference, seem to have performed the functions of a kind of Lazaretto, at which abolitionism did brief quarantine, and was then accredited as ancient Methodism, at least for the time, and so far as the case of Bishop Andrew was concerned. There was at least a spasm of harmony, during which the parties were one in aim and action. Both united in declaring *that* an offence which violated no law of God or man, and was recognized by both as consistent with christian and ministerial character. Each was prompt in claiming for the General Conference absolute control over both the formation and the execution of law. They acted together in asserting the claim of jurisdiction *pro salute animæ*, without license of law or sanction of precedent. They clung together and fought for the same results, under every change of colour, until their purpose was accomplished. They united in requiring Bishop Andrew to do what the law of the Church did not exact, and the laws of the State in which he resided, expressly forbid—in other words, they agreed to punish the Bishop for *doing* what the law of the Church allowed, and for *not* doing what the law of the State prohibited. We bespeak the patience and candor of the reader. The freedom, and it may be thought boldness of censure, in these brief preliminary statements, cannot be judged of fairly, except in connection with *the facts and evidence*, we submit, in support of their truth, and in vindication of the course and policy of the South, in the premises of this unhappy controversy.

Intending an examination of all the principal topics in controversy between the North and South of the Methodist Episcopal Church, no particular analysis, either of the Protest or the Reply, is deemed necessary, except as we proceed in order, to a review of the whole ground occupied by both.

The first general topic claiming attention, is the *compromise character of the general law of slavery* in the Methodidist Episcopal Church; its assumption by the South in their Protest, and its denial by the North, in their Rejoinder. To prevent misapprehen-

sion, it may be well to state here, and once for all, that the term compromise is used in the Protest, in its most ordinary popular acceptation, in connection with legislation, to denote a mutual agreement to adjust difficulties, in the shape of a legal arrangement —some general rule or law, upon the grounds of mutual concession and forbearance, by the parties legislating, acting as the authorized representatives of the more primary parties, immediately interested. Before proceeding, however, I must ask to be indulged, while I offer some preliminary views and statements, with reference to the general subject, and my connection with it, without which I cannot be properly understood, either by my friends or enemies. Involved in this controversy somewhat prominently, by the force of circumstances, rather than any voluntary agency of my own, I am anxious to place it in the power of both my friends and enemies, to judge me fairly, and beyond this, I have nothing to *invoke or deprecate* with regard to either. At the first session of the Ohio Conference, after the division of the old Pioneer Western Conference, I saw and heard, for the first time, that extraordinary man, Bishop Asbury, who, in an elaborate address to the Conference, on the affairs of the Church, glanced at the then recent session of the first Delegated General Conference, May, 1812, and spoke of the advantages likely to result, and enlarging upon the various interests of the Church, East, West, North and South, he remarked, that in all these sections the Methodists were *one*—every where the same people; and added, that at one time he and his venerable colleague, Dr. Coke, had greatly feared, that in this country, slavery in the South, and the opposition to it in the North, would *divide the Church;* but he warmly congratulated the Conference, that the evil they had dreaded, had passed away; that the North and South, in the General and Annual Conferences, had, by mutual concession and forbearance, settled down upon *common ground,* and had agreed to be governed by law —the Discipline of the Church, in all they said or did on this dangerous and exciting subject. "Do this," said he, in tones of commanding but affectionate authority, "and you will save the master and slave, the bond and the free, the North and the South." The impression I received from listening to this address, was strengthened and rendered indelible by a private discussion, to which I listened, during the same Conference, in which some young preachers maintained, in opposition to Bishop Asbury, that slavery in every shape, and all slave holders, should be banished from the Church; and the great and good Samuel Parker advocated the necessity of a *compromise course,* and defended the views of Bishop Asbury, in his address. Apart from my distinct recollection of these facts, I kept a kind of journal record at the time, of nearly every thing that interested me, and in view of both, I make this statement, as substantially correct. Before this I had vaguely regarded slavery, in all its possible forms, as a foul blot upon the Christian name, and the remarks of Bishop Asbury, and the arguments of Parker, gave me the first distinct impression—led me to the first rational enlarged view of the subject of slavery, in relation to the Methodist Episcopal Church, I had ever entertained, and will remain with me to the close of life. Three years after, at the fourth session of the Ohio Conference, Sept. 1815, I heard Bishop Asbury preach the funeral sermon of Dr. Coke, and in enlarging upon the Apostolic zeal and extensive usefulness of the Doctor, as an "American Methodist Bishop," he alluded to the manner in which the Doctor's usefulness had been "curtailed in the South," in his own phrase, by his imprudent zeal and movements in reference to slavery. "We thought," said the Bishop, "we could kill the monster at once, but *the laws and the people* were against us, and we had to compromise the matter, or lose the South." I cannot pretend to give entire the precise language of the Bishop, but such was the substance—the plain import of what he said; *and* connected as it was, with what I had heard him say before, I could not forget it,

especially as my admiration of the man, amounted to almost idolatrous veneration. I was perhaps the more struck with the Bishop's remarks, as I had that year been preacher in charge of a circuit in Virginia, where the subject had necessarily engaged my attention. There are those living, who know that the recollection of such incidents would be likely to be indelible with me, from the fact, that at this Conference, but for the stern interposition of Bishop Asbury, my unimportant career as a Methodist traveling preacher, would probably have terminated. Crushed by what I regarded (right or wrong) as the unfeeling scrutiny of the Conference, I had addressed a letter of withdrawal to the Conference, through my friend Rev. David Young, upon the reading of which, Bishop Asbury said: "Give that poor boy to me, I'll take him and be responsible." Bishop Asbury thus became my friend and protector, at a time when I greatly needed both; and let no one be surprised that I treasured up and preserved, what others, differently circumstanced, may have forgotten. After traveling nearly four years in the Ohio Conference, I was, in the autumn of 1816, transferred to the Tennessee Conference, of which I was a member until 1821. During this whole period, a fierce controversy was raging in that Conference, on the subject of slavery and abolition, the Abolitionists having a decided majority. The course and practice of the majority, went to settle the principle, that no slave holder, whatever might be the law of the State, in the case, or his claims in other respects, should be received into the traveling connexion, and no preacher, traveling or local, admitted to ordination, until he had first *in fact* emancipated his slaves. The minority contended that such a course was inconsistent with, and in violation of, the rights long secured to slave holders, in States where emancipation was impracticable. The struggle was long and bitter, continuing from year to year, and at the Tennessee Conference in 1819, the minority, acting under the advice of Bishops McKendree and George, *protested* against the course of the majority, and appealed to the General Conference of 1820. Upon the presentation of the Protest in Conference, Bishop McKendree presiding, admitted it to record, against the declared will of the majority, and took occasion to address the Conference at great length, on the course of the majority, and the subject of slavery in general; and as the interference of the Conference with the subject, had excited no little distrust and jealousy in the public mind, Bishop McKendree requested that he might be heard by some of the most influential citizens of Nashville, in which the Conference sat; and at his request, I introduced into the Conference the Honorable Felix Grundy and Oliver B. Hays, Esq., who listened to the address of Bishop McKendree with intense interest, and declared to the Conference, that according to the address, the law of the Church was not, as they had been led to suppose, in conflict with the laws of the State.

In this address, Bishop McKendree glanced briefly, but clearly at the whole range of the legislation of the Church, on the subject of slavery, and took great pains to show that while the Church sought to remove the evil of slavery, from within its own limits, where it could be done consistently with the laws and welfare of society, it did not, in any instance, abridge the rights of ministers or people, where law and the conventional understanding and interests of society pursuant to them, rendered emancipation impracticable. He reviewed, in a summary way, the various and often conflicting regulations of the Church respecting slavery, from the early days of Asbury and Coke, down to that period, and showed that the apparent inconsistency, on the part of the Church, was owing to alternate party ascendency, as it regarded the North and the South. His whole address went to show, and he repeatedly affirmed it, that the question was one that could only be managed by concession of parties, and that the existing laws of the Church, were the result of such mutual concession, and that at the General Conference

of 1808, they had solemnly agreed to let the subject alone, in General Conference, and allow the annual Conferences to regulate the matter within their own limits. He stated he had hoped that this act of compromise, with others, and the final action in 1816, would save the Church from any serious trouble, but he saw it would not, and declared his purpose to propose to the next General Conference, to deprive the annual Conferences of the power given them in 1808, and to establish one uniform law to govern the whole Church. Accordingly, he and Bishop George, privately advised the minority of the Tennessee Conference, to memorialize the General Conference to that effect. Bishop George addressed the Conference, approving the views of Bishop McKendree, and assuring us, he should concur with him in reporting the unauthorized proceedings of the Tennessee Conference, and in asking the General Conference to repeal the law of 1808.

The Memorial of the minority, praying the repeal of this law, as advised by the Bishops, together with their representations, led to a discussion in the General Conference of 1820, which resulted in the repeal prayed for. In the final conflict between the majority and minority of the Tennessee Conference, on this subject, the venerable *Philip Bruce* took an active part, and fully and most unequivocally sustained the views of the Bishops and the minority, and addressing the Conference, by request, as a living witness in the principal transactions alluded to, he was even more minute and exact than Bishop McKendree, in showing that the whole legislation of the Church had been in the spirit and form of compromise, and that if this compromise was departed from, *Methodism must die in the South.* The same view of the subject was avowed and advocated by the never-to-be-forgotten *Valentine Cooke*, who was present, and called upon for his opinions and testimony.

Barnabas McHenry, of whom I once heard Bishop McKendree say, if he were allowed to choose his successor, as senior Bishop of the Methodist Episcopal Church, *McHenry* would be the man, was a member of the Tennessee Conference, and assumed and argued not only the virtual compromise of the law of slavery, between the Northern and Southern portions of the Church, but the absolute necessity of this or some kindred adjustment, to prevent division and ruin. These men were all opposed to slavery, and had no connection with it, and yet they unyieldingly maintained the ground assumed in the Protest, on this subject. It is proper to add, that *Thomas Logan Douglas* was the only man in the minority of the Conference, who was in any way connected with slavery. The minority numbered about twenty members of the Conference, and being oppressed and trodden down in the struggle, referred to, they naturally turned to men of age, wisdom and experience in the Church, for counsel and direction, and especially to ascertain the real character and purposes of the law of slavery, and more particularly the opinions and conventional understanding, in which it had originated; and being one of the minority, and frequently called upon to act as one of its organs, I was necessarily led to a somewhat extended, if not critical acquaintance, with the whole subject and controversy. I was in the habit, for years, of consulting, whenever I could have access to them, the venerable men who had grown up with American Methodism, and who were therefore well acquainted, not merely with the facts, but with the reasons of legislation on this subject. From them I learned, what I believe to be the true history of the general rule on slavery, which found its way into that summary code of morals, known as the "General Rules" of Methodism, without the sanction of a General Conference, being introduced by Bishop Asbury and his council, in 1788 or '9, and first published in the latter year, and was intended as a response of the Church to the provision in the Constitution of the United States, then just adopted, for the abolition of the slave trade; the council deeming it proper, that what the Constitution looked for-

ward to prospectively, should be at once fixed upon as peremptorily binding upon all members of the Methodist Episcopal Church, and hence the prohibition—"buying of men, women, or children, (usually stolen and plundered from Africa, and brought to this country for the purpose) with the intention to enslave them." The language of Coke and Asbury, in their notes on the Discipline, sustains this view of the subject. Speaking of this rule, they style it, "a small addition, which the *circumstances* of the States required," evidently alluding to the recent prospective prohibition of the slave trade in the Constitution of the United States.

No part of this recital, which I introduce with great reluctance, but could not omit without subjecting my motives and conduct to misconstruction, is intended in any degree to reflect upon the character or piety of the majority of the Tennessee Conference. The most of the men who took part in that controversy, are now in their graves, and so far as I know, no cause of quarrel exists between any of the survivors. I will only add in this connection, that as McKendree, George, Bruce, and Cooke, had frequent interviews in council, with the minority, my recollections may have confounded, in some instances, what they stated on these occasions, with their statements before the Conference. That I quote their opinions correctly, I am entirely confident. Beside my general connection with the subject, during the hotly contested struggle in the Tennessee Conference, I was a member of the committee which drafted the Protest, and also of the committee which drafted the memorial to the General Conference, just alluded to, and hence it was the more necessary I should acquaint myself with all the sources, and avail myself of all means of information in my power, while at the same time, I should be the more likely to recollect and preserve the information I had obtained. And accordingly, I have in my possession copies of the Protest and Memorial, numerous letters received during the contest and subsequently, bearing upon it, together with other papers and documents, enabling me to make these statements with the perfect knowledge that they are substantially correct, and entitled to the confidence of all concerned. In this way I imbibed my first and early notions of the compromise character of the law of the Church on slavery. I am not at all careful or tenacious about words or phrases. My object is to make it appear to the satisfaction of the candid and well informed, that for the last thirty years, I have been taught, and taught too by the ablest masters in our common Israel, that the whole legislation of the Church, on the subject of slavery, but especially from 1800 to 1816, originated in mutual concession and compromise, between men representing the Church, North and South, and therefore, that the law of the Church is, *ipso facto*, a compromise, as assumed in the Protest of the Minority at the late General Conference, the principles and the positions of which, it is the object of this publication to defend. If I am in error, I have become involved in it most unintentionally, and without any personal interest, by which a man of common sense could have been influenced, during any part of the thirty three years to which these statements refer, and all my convictions assure me, if I am in error, I have been misled by such men as Bishops Asbury, McKendree—and George, Philip Bruce, Robert Cloud, Barnabas McHenry, Valentine Cooke, Leroy Cole, John Littlejohn, William Burke, Samuel Parker, William Allgood, John McGee, Thomas L. Douglass, and many others, equally entitled to credit, with whom I have been in intimate intercourse, and whose opinions gave character to my own. That these men regarded the law of the Church on slavery, as something very different from a "simple decree" of the General Conference, and as the result of vexed and protracted deliberation, at different times, terminating finally, in a compromise of conflicting opinions, in the shape of a rule or law, is a matter about which I can never doubt, because in every instance I had the in-

formation directly from themselves, and could not have misunderstood them. By the part I took in advocacy of the conservative grounds of the Discipline, in relation to slavery, from 1816 to 1821, mixed up, occasionally, with other incidental matters, my position became extremely unpleasant, and at two different times, Bishop McKendree proposed to relieve me, by making me his travelling companion in his annual tour of the continent. This I declined; but in 1821, requested him to transfer me to some other Conference, proposing to go wherever he chose to send me, and he accordingly transferred me to the Baltimore Conference, and stationed me in Pittsburg, assigning the state of things I have detailed, as the reason of my transfer. During the whole period of the General Conference of 1824, I was confined by extreme illness, in Washington City, and toward the close of the session, Bishop McKendree visited me, and in a long interview with him, he glanced at the difficulties in which I had been involved in the Tennessee Conference, adverted to the slavery question, expressed his conviction that the subject, as further compromised in 1816, and left upon the common ground of that arrangement, by depriving the annual Conferences of all legislative power over the subject in 1820, would secure the peace of the Church. In proof of this, he stated, that the subject had produced very little excitement at the General Conference then in session, and he trusted the question was conclusively settled. I have added this last item, because it is by several years of later date, and tended strongly to confirm all my previous views of the opinions entertained by Bishop McKendree, on this subject. I have also heard Bishop McKendree state, and have had the statement from others, that at the General Conference of 1808, or perhaps 1812, a measure was brought forward, on the subject of slavery, and would probably have carried, had he not declared to the Conference, that in the event of its adoption, *he could not attempt to administer the government in the South*; when it was abandoned. It is a well known fact, also, and within the recollection of living witnesses, that at the General Conference of 1796, when a motion was made to exclude all persons from the Church in any way connected with slavery, McKendree, Tolleson, and others, resisted it with the most unyielding determination, on the ground that the act would *exclude Methodism from the South*. In a letter before me, a venerable member of that Conference, and who goes with the North on the subject in controversy, says, "the motion was ably debated on both sides, all, I think, agreeing that slavery is a great evil. The ground taken by Wm. McKendree and James Tolleson, the strongest opposers of the motion, was that by passing it, we should shut up our access, not only to the slave holder, but also to the slave, so that we could do them no good, soul or body, for time or eternity. Here are two evils, (it was urged by McKendree and friends,) and we ought, (by way of compromise,) to choose the least. The motion was lost." But more of this in other places. I have introduced at some length, and at the hazard, perhaps, of incurring the charge of egotism, my own personal connection with this controversy, not as argument, but to show how, as a Methodist Preacher, every way unconnected with slavery, I was led to imbibe the doctrines and opinions of the Protest on this subject, and I think it must be perceived by every one, that my present position is a very natural, if not necessary consequence of what has gone before. I repeat, however, that to place it in the power of others to do me justice, is the only thing, so far as I am personally concerned, about which I am at all solicitous, and in order to this, I have, perhaps, already said enough, and it may be, more than was necessary.

It has always been understood in the South, that in all the conflicts in the Church, respecting slavery, there has been a sufficient number in the General Conferences, adhering to Northern policy, to carry any measure they chose, but that in a great many

instances at least, they have been restrained by appeal and remonstrance, from the South, and have compounded and compromised, as assumed in the Protest, and as we shall proceed further to prove. Before proceeding further, however, it may be proper to state, what the good sense of the reader could hardly fail to suggest, that in speaking of the North and South in this controversy, it is intended hot to speak of all persons—the entire people North or South—but only so far as the North and South have *spoken out* and *acted* in the premises. In so far as any portion of the people, North or South, may be unrepresented by the avowal and action to which we allude, they are not included in these designations; and where it is meant to include them, the connection will sufficiently explain. It is necessary to add, too, that I shall use the term *abolition*, in the plain, obvious and general sense, in which I have always understood and used it, to denote *any interference or meddling with the question of slavery, contrary to the intention, and beyond the provisions of law, civil and ecclesiastical—that is, the law of the land and the law of the Church.* All persons so acting, I regard as Abolitionists, and shall so call them. On the other hand, the principles and actions of those who seek the removal or regulation of slavery, in strict and respectful accordance with law, as above, I have always regarded and spoken of as *conservative* in character and tendency, and shall do so in this discussion.

In an approach to additional sources of information—more strictly historical evidence—especially the official and accredited testimony of the Church, the reader need not be reminded, that the history of the controversy in question, has yet to be written. We have little else than scattered elements—isolated materials and fragmentary notices, scattered here and there throughout immense masses of authorship and publication. All is, to a great extent, without form and void, and a brief examination of the general subject, is impossible. Facts and principles may be condensed, as was attempted in the Protest; but proof is challenged, and must be furnished, or the South be found at fault, in the controversy. Our appeal is to the truth of history and the evidence of facts, and both must be met and set aside by a more convincing array of opposing proofs, before our cause is discredited. Any amount of criticism and disparaging remark, may be brought to bear upon particular parts and aspects of the subject, without in any way affecting the force of the argument attempted. Had it been practicable to discuss the subject fully and fairly within a more limited compass, it would have been greatly preferable, not only in the way of saving the cost of no little labor and research, but also in view of popular general impression. We found, however, that an extended induction of facts and particulars, was indispensable, and no very obvious classification of them practicable, without much more time than we have been able to devote to the subject. Beside, the subject is a peculiar and intractable one, and an appeal to discursive methods of examination appeared unavoidable, for the plain reason that but little can be known of the real character of law, the true philosophy of legislation in any case, without some adequate knowledge of the practical reasons and circumstances, in which it had its birth; and hence the course we have been compelled to adopt, and the impossibility of any very brief or condensed view of the subject.

I have always been taught, that the compromise character of the law of the Methodist Episcopal Church, was clearly inferable from the history of its legislation on the subject. It has always seemed to me impossible for any one, not under the influence of strong prepossession, to look at the ever recurring change of position, purpose and policy on the part of the Church, respecting slavery and abolition—its various conflicting rules and regulations, at different times—its frequent suspe[illegible] modification of such rules—*the* constant attempt to meet the exigen[illegible]

—its unwillingness to hazard the issue of carrying out its severer acts of legislation—its uniform refusal, for sixty years, to close the door of the Church against slave holders, and yet irresolutely attempting all the time, to make emancipation a condition of membership afterward, when it was perhaps thought the terror of punishment, combined with other causes, might operate to secure submission. I repeat, I have always thought it impossible to look at the subject in these aspects, without perceiving that the Church, in all its legislation, has felt a resort to concession and compromise, indispensable to unity and success, in connection with the North and the South. I am still more strongly than ever of the same opinion, and consider the debates and action of the late General Conference, and even the Manifesto of the Majority, in reply to the Protest, as additional proof of the assumption. If it be true, as distinctly affirmed by Drs. Durbin, Peck, and Elliott, that the North has been conceding to the South for fifty years—if it be further true, as distinctly admitted, that the South has conceded to the North, although not, if we choose to admit what they assume, to the same extent—yet as both parties have felt the necessity, and acted upon the principle of concession, reciprocally claimed, how does it happen, we have no compromise as the result of such concession, in the legislation that followed? legislation and its judicial construction being the only form in which the parties could concede? Can men or parties concede right and claim, in legislative or judicial intercourse, and meet upon common ground, not the choice of either party, except as a preferred evil, without acting upon the ground of compromise? If this be possible, by whom has it been shown? The parties, by which we mean pro and con, those who thought and felt differently, on the best mode of treatment and remedy, as it regards the evil of slavery, took into view the adverse grounds they occupied, and that the general interests might prevail over the lesser and conflicting ones, they agreed to meet and act in view of average right and justice, between the adverse claimants. The whole drift, both of the language and logic of the Protest, goes to show, that in calling the law of slavery a compromise, we reasoned from the concrete to the abstract, knowing as we did, if its authors could be believed, that it had its origin in mutual concession and forbearance. As it originated in the necessity of trying emergent circumstances, its compromise character was taken for granted, inasmuch as the law itself became, of necessity, the abstraction and generalization of the conflicting facts and interests, difficulties and concessions, connected with its original enactment, in separate parts, at different times. Any tolerably accurate appreciation of the relations of the parties, must furnish satisfactory proof to the most common discernment, that the existing law of the Church could have originated in no other way. The legislation on slavery, by consent of parties, took circumstances and consequences into the account, and whatever may have been its form, as each party yielded in some things, and refused to yield in others, and both finally met in the adoption of the same general rules, the legislation in fact, was a compromise. It is admitted that the language of the Protest varies from the common phraseology of the Church on the subject, and we were led to use it, because, in our judgment, the crisis which gave it birth, rendered it necessary that the principles involved should be more clearly defined, and better underderstood. Should it turn out that we have wronged the truth of history, let the proper correction be applied. It is confidently believed, however, that the evidence we submit, in support of the Protest, will satisfy the discerning and unprejudiced, that no novel principle, assumption or speculation, unknown to our fathers and the American Methodism of the last half century, can be found in it. The very first minute, rule or regulation, the first act of legislation on the subject of slavery, by the infant Conference of lay preachers, in 1780, is both in language and temper, a compromise. Great as the

evil is charged to be, it concedes that even traveling preachers were slave holders, and merely requires a *promise* of emancipation; and with regard to all other slave holders in the Church, the Conference simply *advises* them to free their slaves. If they did not intend compromise, in view of the civil rights—the interests and feelings of the South—why receive slave holders at all, either as members, or as local or traveling preachers? In the instance of what is declared to be crime, by every law of Heaven, man, and nature, why merely exact *promises*, and *advise*, instead of requiring emancipation before receiving them at all? If in the loose, extravagant language of the rule of 1780, slavery is contrary to the laws of God, man, and nature—is hurtful to society, contrary to the dictates of conscience and pure religion, and doing to others what we would not they should do to us, that is a criminal and ungodly practice, inhuman and unnatural withal, as most expressly affirmed, what must be thought of the *piety* and *usefulness* of preachers and people, thus living in open and declared violation of the laws of God, man, nature, society, and conscience, as well as the precepts of pure religion and social justice? What must be thought of law makers and Church rulers, who thus denounce practices as grossly iniquitous and immoral, while no actual abandonment of the evil is necessary, either to church membership or ministerial office? The persons and the practice are both placed under the angry ban of the Church, and yet continued in connection with it, as if it was thought necessary to baptize the evil, in order that the means of its extirpation might be brought to bear the more effectually. And yet, after this unmitigated denunciation, when, three years later, the subject next comes up, local preachers only are named, and it is deemed best to try them another year, to see whether, after four years advising, the result will not be different, and if not, it is gravely stated it may (and of course may *not*, as it turned out) be necessary to suspend them. Why this hesitation and delay? Was it or not seen and felt, by the excellent men composing these early Conferences, that they had acted prematurely, and that they could not carry out the principles and measures they had avowed and adopted, without ruin to the objects and mission of Methodism in the South? Unless this was so, why is an evil so unmitigated, so utterly at war with the moral order of Heaven and earth—so inconsistent with any, the least degree of moral uprightness, borne with for a moment? And especially why are persons involved in it, allowed to enter the Church, and even the ministry, when curse and defilement are assumed as the inevitable consequence! Without intended compromise, how can we reconcile the faith and practice of our fathers? In 1784, at the regular Conference, the local preachers in Virginia, holding slaves, are allowed another year to reflect upon the matter; that is, five years after the first warning! Does this delay betoken compromise or not? At the called Christmas Conference of the same year, we have a series of enactments, the tone of which is equally decided as to the moral wrong of slavery. These are expressly admitted to constitute a new term of membership, unknown to the general rules of Mr. Wesley, and came in with the new organization of the Church. Still, fearful of consequences, the law is suspended before it is published, and slave holders have another year for reflection, and in Virginia, where the Church was numerous and strong, they have two years more, extending the probation in Virginia to seven years. If in this no compromise is seen, six months after we have a further and more formal suspension of *all* the rules on slavery, until the next Conference, when it is declared the rules shall be enforced. This, however, was not done, and during twelve long years, the suspension continues, and the whole subject is allowed to sleep, and confessedly, because of the great evil done in the South by its agitation. In 1796 we have a new code or set of rules, but obviously of the same compromise character with *former ones*, as explained by the practice of our rulers. Slave

holders are still admitted to ministerial order and official station, upon security given that they will emancipate in future. The laws of the State, and the circumstances of individual cases, are to be consulted and deferred to by presiding elders and preachers in charge, in judging of the *nature* of the security required. And, as if doubtful whether this was not too stringent, upon the remonstrances of McKendree and others, from the South, they compromised the whole matter further, by authorizing the yearly Conferences to make whatever regulations they judge proper, respecting the admission of slave holders to official stations in the Church. Masters are allowed to hold slaves for a term of years, to remunerate themselves. Preachers and people are called upon for information and opinions on the subject, to be sent up to the next Conference, that the preachers, instead of their hitherto imperfect knowledge, and conflicting and versatile opinions and purposes, may have full light upon the subject. Such are some of the difficulties and details of the still incipient, unsettled compromise of the Protest. In 1800 there is still further modification and compromise. A traveling preacher is allowed to hold slaves, where emancipation is not practicable, in conformity with the laws of the State in which he lives; and to get at the subject more directly, without coming in conflict with the civil authoritities, it is found necessary to interfere with the legislation of the States in which slavery exists. The Annual Conferences are instructed to memorialize the Southern Legislatures, and urge them to pass "general emancipation" laws. Committees were to be appointed, too, to aid the traveling preachers in "this blessed work." An application of this kind, to the Legislature of Georgia, gave birth, in 1800, to the celebrated law of that State, prohibiting emancipation in any form, except by Legislative enactment. The application was deemed obtrusive and dangerous, and the Church, in this way, has prevented the emancipation of thousands of slaves in Georgia, as well as other Southern States, by provoking State legislation, which rendered it entirely impracticable. While this business of petitioning Legislatures, and remonstrating with them, was going on in 1800, it was suddenly found necessary to compromise this matter too, or give up the South, and the plan of petitioning was abandoned accordingly, and atonement was offered for the indiscretion, in the shape of apologies and explanations in behalf of the Church, especially after a Southern Grand Jury had, upon presentment for a violation of the laws of the State, found a true bill against one of the Bishops of the Church, Dr. Coke, on account of the active part he had taken, in the movement now referred to.

In 1804, the compromise character of the law of the Church respecting slavery, began to assume a more distinctive form. In view of the firm position and vehement representations of Southern Preachers, McKendree, Lee, Tolleson, and others, that the existing rules would no longer be borne with, private members are allowed to sell slaves into perpetual slavery as the dictate of "mercy and humanity," without Church censure, and all slave holders of the laity, in North Carolina, Georgia, South Carolina, and Tennessee, are exempted from the operation of even the new rule, entirely. The rules of 1796 and 1800, relating to interference with legislation, are repealed, and the Conference goes so far as to hazard, for the first time, in its rules and regulations, the distasteful admonition of the New Testament, that slaves should obey their masters and consult their interests. At the next General Conference, however, the admonition was expunged, as offensive or uncalled for, and nothing of the kind has appeared in our legislation, or marred our statute books since. In 1808, the compromise is still more fully developed. Every thing relating to slave holding among private members is expunged from the Discipline, and each annual Conference is fully authorized to make its own regulations, relative to buying and selling slaves. That this was done upon demand

and remonstrance from the South, will not be denied, and how far it goes to prove the compromise of the Protest, let men of sense determine. In 1812, the compromise, to which the good men of 1780–3–4–5, were driven, by the force of circumstances, in the very face of their own rules, and despite their cherished opinions and policy, receives a still more conclusive form, in the shape of a direct concession in terms, upon the urgent representation of Southern men, that the laws of the States are so diverse on the subject of slavery, that *no general rule can apply*, and hence a renewal of the grant of right to the annual Conferences, to control the whole subject as they saw proper. It was then agreed by the North and South, that the legislation of the Church must conform to that of the States, and emancipation *not* be required by the Church, where it was opposed by law and public opinion. This fair and manly adjustment of a grave Church difficulty, I heard Bishop Asbury explain and commend, only four months after it occurred, as *the great bond of union between the North and the South.*

In 1816, we have the last of a series of kindred measures—the final act of legislation, alluded to in the Protest, as completing the compromise between the North and the South. "No slave holder, shall be eligible to any official station in our Church hereafter, where the laws of the Church in which he lives, admit of emancipation, and permit the liberated slave to enjoy freedom." *Ergo*, "any slave holder, (so far as slavery alone is concerned,) shall be eligible to *any* official station in our Church, hereafter, (and of course whether as Deacon, Elder, or Bishop,) where the laws of the State, in which he lives, do *not* admit of emancipation, and the liberated slave is *not* permitted to enjoy freedom." This is a plain grant of law, and as such it satisfied the South. The South has always been satisfied with it. Nothing more has ever been asked by the South. It is the open infraction—the gross violation of this law by the North, of which we complain, and to which the South will not submit. Take now the law of 1800, the two regulating the entire traveling connexion and local ministry—"When any traveling Preacher becomes an owner of a slave or slaves, by any means, he shall forfeit his ministerial character in our Church, unless he execute, if it be practicable, a legal emancipation of such slaves, conformably to the laws of the State, in which he lives." Hence, "no traveling Preacher, becoming an owner of slaves, by any of the tenures recognized by law, in slave holding States, will be subjected to a forfeiture of his ministerial rights, if legal emancipation be impracticable, in conformity with the law of the State, in which he lives." With this, the South is equally satisfied, and by it we are willing to abide. We only complain of its violation by the North. And so of the general rule, as a prohibition,—"The buying or selling of men, women, or children, with an intention to enslave them." If then, a man shall not buy or sell man, woman, or child, with intention to deprive them of liberty, or reduce them to a state of slavery, he cannot violate the general rule. And with this too the South are perfectly satisfied. These rules fairly interpreted according to their most obvious meaning, as by the General Conference of 1840—interpreted as they would be in any intelligent Court of Equity, afford all the protection we need. The construction, however, placed upon them, the two former especially, by the last General Conference, virtually repeals them, and it is against such nullification we protest. Believing as we have shown, and shall further show, that the legislation of the Church on slavery, especially since 1800, originated in concession and compromise, call it by what name you will, the South have always relied on it as a solemn compact, based upon the good faith of the parties, and regard the violation of it, by the late General Conference, as inconsistent with fidelity to the obligations of a grave public engagement.

In 1820, the only action of the General Conference respecting slavery was to take from the Annual Conferences the authority to make their own regulations on the subject; and this action was had in view of the Memorial already alluded to, from a minority of the Tennessee Conference and the representations of Bishops McKendree and George; in connection with it. In 1824 the general law of slavery was left untouched. So also in '28, '32, '36 '40 and '44, except, that by construction, the last General Conference changed it entirely, and so undermined all the securities of the South, and reduced us to the necessity of resistance, as an act of self-preservation. As the general rule, the course of legislation on this subject has always been a conservative, middle one, between Northern and Southern convictions and interests. The necessity of union was always strongly felt, and this interest prevailed, but not until either section or party, North and South, had yielded highly cherished preferences, on the ground of concession and forbearance. And not only is it susceptible of the clearest historical and logical proof, that the law of slavery has always been a virtual compromise, but the whole administration based upon existing law, from time to time, has been such in fact, because accommodated to the ever-varying circumstances, under which it has been applied. If not, why has the law, in so many instances, as we have seen, been permitted to remain a dead letter—a mere *brutum fulmen*, when it came in conflict with circumstances and developments, rendering its exercise inconsistent with the more general reasons and causes, which gave it birth? We are reminded, however, that all this is denied both by the *writers* and *signers* of the Reply, (it was the joint production of *three* different writers, only *one* of whom signed it,) and it may not be amiss to vary the evidence on this subject. The Protest assumes a legal compromise, in the absence of its forms, and the Reply quietly assures all concerned, that it is an absurd fiction, unworthy of credit. This denial, without a word of proof, is offered as quite sufficient to overthrow the Protest entirely. The summary endorsement of the quintuple alliance of Northern editors, was of course superfluous. If it should be made appear, however, that legislative compromise is by no means uncommon, but in fact of frequent occurrence, and notoriously one of the most ordinary forms of party stipulation, it will at least tend to prepare the way for a fairer estimate of the mass of evidence we have yet to present, on the subject in dispute. The well known political balance of mutual rights and interests, as secured in the Constitution of the United States, between the North and the South, has been recognized as a compromise, since the foundation of the government, without any direct evidence, however, of any thing resembling compromise, in the Constitution itself. A conventional understanding has, during this whole term, existed between the North and South, to the effect, that in the admission of new States into the confederacy, the number of free and slave States shall be equal, or as nearly so as practicable; and this has been invariably appealed to, as a compromise not to be disregarded by either party, without the imputation of implied dishonor, although no express contract exists to this effect. The evidence is found in the Constitutional history of the country. When the Congress of the United States, in 1820, decided upon a proposition from the Hon. H. Clay, that no slave State should be admitted into the Union, North of latitude 36 30, and the North agreed to admit Missouri, and settle the slavery question as then agitated, upon the basis of such a prospective arrangement, it was then, and has ever since been, regarded as a compromise, reasonably and fairly binding the South against any attempts to extend slavery beyond this line, and the North against meddling with the question, by opposing the admission of slave States South of it, unless they should exceed in number the free States North. However informal, this conventional arrangement, it has always been understood and recognized as

a compromise, which saved the Union of the States, both by the people of this country, and throughout the civilized world.

Mr. Madison informs us, that a measure introduced into Congress in 1782, was carried through and became a law "by compromise," and yet, in the reported proceedings of Congress, the evidence is not found upon the Journal. Mr. Madison also informs us, that in settling the question in the Congress of 1783, in what proportion slaves should come in as a basis of representation, the question could only be settled by compromise; and yet the compromise does not appear upon the face of the record. In the Convention for the adoption of the Constitution of the United States in 1787, there was a special conventional compromise, as Madison, Hamilton, and others, assure us, between the North and the South, respecting commerce and slavery—the Northern confederates needing what it was the interest of the South to withhold, but the North insisting, the South yielded, in view of a similar concession to them in favor of slavery. The evidence of the fact, however, does not appear in the Constitution, but elsewhere; although it is as certain, as it is likely to become important in the history of the country. The West India Emancipation bill is known and recognized in the debates of Parliament, and British history, as a compromise; and yet as a law it wears the aspect of a simple decree, and is only known as a compromise, because it was an adjustment of a difficult question between the West India Planters and the Imperial Legislature, upon the ground of mutual concession. Even Magna Charta is shown by Hallam, Godwin and others, to have been a compromise, and as such has given character to British legislation ever since, although the form of this celebrated instrument does not indicate the fact. The existing government of France is recognized by philosophical statesmen, as the great compromise between the absolutism of one part of the nation, and the republicanism of the other; and it is strictly true that the government of Louis Phillippe is a compromise arrangement, although it may not appear upon the Statute book, or in the Cabinet archives. During a period of near a century before the American Revolution, a conventional understanding existed between the colonies of this country and the English government, that while the latter had the right to regulate external taxation, duties, and imposts, connected with the colonies, the undoubted right belonged to the former, to regulate all internal taxation; and a well defined compromise to this effect, without any formal stipulation, had become so incorporated with the convictions and feelings of the American people, that its violation by the British ministry, instantly decided the colonies in favor of revolt. The question of slavery, in British India, has long been treated by the Parliament and Press of England, as a compromise arrangement—one party insisting on its abolition, and the other resisting it, as subversive of British sovereignty in that quarter of the globe. The policy of the government has always been regarded as a compromise, while mere legislation has given the subject no such aspect. The adjustment of the great Tariff question, between the North and the South, in 1832, is known as the Compromise act of Congress on the subject, and yet, upon its face, it is a simple decree of national legislation. Speaking of English compromise grants, the Crown, the Nobility, and the Commons being parties, Hale says: "The *concession* of these Charters was in Parliamentary form."

Dr. Bangs and Bishop Emory, both style the suspended resolutions of 1820, usually known as the Presiding Elder question, a compromise; yet no evidence of the fact appears upon the face of the law, and it is evident they reasoned in the case, as we have in the Protest, the law was a compromise because it originated, as did the law of slavery, in the mutual concession of antagonist parties. The proposition of the late General Conference, to postpone the whole question in the ca[redacted]

drew until 1848, was regarded and has since been represented by both parties as a compromise measure, without being so shaped or styled by its authors. Dr. Emory, and subsequently the Bishops, in an official address, and more recently Dr. Elliott, represent the conventional agreement of the traveling ministry, to labor where the Episcopacy may appoint, and the people to submit without any claim of right to select their pastors, as a compromise in the Constitution of the Church, and which cannot be violated without high moral blame, but certainly without any formal stipulations to this effect.

By analogy then, the circumstances of conventional understanding and legislative adjustment, being the same or similar, is it not with the most perfect and entire propriety, the Protest speaks of the compromise law of the Church, on the subject of slavery? Nor in doing so, was there any thing constrained or far-fetched. It is a conclusion so natural and necessary, in view of the premises, as furnished in the history of the Church, that the only wonder is, that men claiming enlarged information could be prevailed upon to risk its denial. It is urgently assumed in the Reply, that the North has always been conceding to the South, as it regards slavery. The question arises, have they done so, except as it was just and right? Have they sacrificed principle and duty, by concession? If not, the just claims of the South to the concessions made, are admitted by their own acts in the case, and the result is compromise. We have seen, and shall have occasion further to see, that in order to the very existence of the law of slavery in the Methodist Episcopal Church, compromise was an indispensable condition. Without it the law could not have been. In a conflict of necessities, the parties legislated upon the principle of mutual accommodation. Neither party had what they desired, each gave up what they were anxious not to part with, but agreed to unite, upon what they could obtain, in the adjustment, without disunion, and this social guaranty, in the shape of public law, has been looked upon, in the South at least, as a compromise, because concession was known to be its basis, and because, without such a reciprocal modification of different and opposing elements, interests, and wishes, no law could have bound the North and South together. The Bishops in their General Conference address, 1840, say, "it is *impossible* to frame a rule on slavery proper for our people in all the States alike," and certainly it is not less impossible to do it in the case of the ministry. The only reasons involving conscience or principle, apply alike in either case. And accordingly the law of the Church has always been different in its application to different States, and we are thus presented with the necessity, the reasons, and the fact, of compromise, as assumed in the Protest. The sum of the whole legislation on the subject, has been essentially conventional in character and bearing, and although without any formal ratification by the parties as such, has been in fact a compromise arrangement. Dr. Bangs says, "the several modifications of the rules on slavery, from one General Conference to another, until the present time, all partake of a similar character," (that of compromise,) "intending to record the *opposition* of the Church to the *system*, and to adopt such measures to *mitigate* its evils, and finally, if possible, to do it away, as wisdom and prudence should suggest." Speaking of the legislation of 1784, the Dr. says, "even this *gradual* process *could not* be carried forward, without producing a *greater evil* than it was intended to remove," and adds, that the law "was suspended," (the Church finding it necessary to compromise,) "in favor of those more wise and prudent measures, which the Church has ever since used, and is ready to use, for the extirpation of slavery." Even the zeal of Dr. Coke cooled in contact with the reasons and necessity for compromise to which we allude. "On his second visit to America, Dr. Coke was convinced he had acted *indiscreetly*, and he consented (when

pressed by the South,) to let the question of emancipation alone." "He proceeded in such an intolerant spirit of philanthropy, that he soon provoked violent opposition." "His mistaken zeal and the unfavorable influence his opinions and course had, on the subject of slavery in the South, are matters of history."—*Drew's Life of Coke, Southey's Wesley, Coke's Journal.* The General Conference in their address to the British Conference in 1840, say, "under the administration of Dr. Coke, emancipation was urged alike in all the States, without reference to *law* or *public opinion*—the attempt proved almost *ruinous*, and was soon abandoned by the Dr. himself. While therefore, the Church has encouraged emancipation, in those States where the laws permit it, and allow the freedman to enjoy freedom, we have refrained from *conscience sake*, from all intermedling with the subject, in those States, where the *laws* make it *criminal*." Would truth permit the last Generel Conference to make such a statement? They add, "the question of the evil of slavery, is a very different matter, from a principle or rule of Church discipline, to be executed *contrary* to and in *defiance* of the laws of the land." There is perhaps no single word in the English language, so fully expressive of the meaning of the General Conference in this statement, as the single word compromise, if we take into the account, with the course of action indicated, the reasons which obviously led to it. The General Conference says, of both the ministers and members of the Church, "with their rights as citizens of these United States, the Church disclaims all interference." Apply this to the Southern ministry and membership, connected with slavery, where emancipation is impracticable, and what does it expressly authorize them to assume. on coming into the Church, or any grade of the ministry? By what means could it be made clearer, that the General Conference pledges, that the legislation and practical government of the Church, should be such, as not to conflict with the rights of citizenship in any of the States. How was this pledge treated by the late General Conference, especially in the case of Bishop Andrew? The General Conference of 1836 declared, "such is the diversity of habits, thoughts, manners, customs, and domestic relations, among the people of this vast Republic, and the diversity of the institutions of this vast confederacy, that it is not to be supposed an easy task, to suit all the incidental circumstances of our economy to the views and feelings of the vast mass of minds interested." Is it not intended, that the facts brought into view, shall desiderate the *necessity* of compromise, in order to prove its *reasonableness*, as it actually existed in the law of the Church? Again they say, "we pray that brethren, will at least give us the credit of having acted in good faith, not having regarded private ends or party interest, but the best good of the whole family of American Methodists." The allusion here to parties, "party interests" and "good faith," may tempt some to think, that both the language and sentiments of the General Conference had been plagiarised into the Protest. They add, "we assure you, we have adopted no new principle or rule of discipline; respecting slavery, since the time of the apostolic Asbury, neither do we mean to adopt any. There are States in which slavery exists so universally, and is so closely interwoven with the civil institutions, that both do the laws disallow of emancipation, and the great body of the people, (the source of laws with us,) hold it to be treasonable, to set forth any thing by word or deed, *tending that way*." As it would be wrong and *unscriptural* to enact a rule of discipline contrary to the Constitution and laws of the State, on this subject, so also would it not be equitable or *scriptural*, to confound the positions of our ministers and people, so different are they in different States, with respect to the *moral* question which slavery involves." The good sense of these passages, will command respect every where, but [redacted] apply them in the case of Bishop Andrew, we are compelled to [redacted] late

drew until 1848, was regarded and has since been represented by both parties as a compromise measure, without being so shaped or styled by its authors. Dr. Emory, and subsequently the Bishops, in an official address, and more recently Dr. Elliott, represent the conventional agreement of the traveling ministry, to labor where the Episcopacy may appoint, and the people to submit without any claim of right to select their pastors, as a compromise in the Constitution of the Church, and which cannot be violated without high moral blame, but certainly without any formal stipulations to this effect.

By analogy then, the circumstances of conventional understanding and legislative adjustment, being the same or similar, is it not with the most perfect and entire propriety, the Protest speaks of the compromise law of the Church, on the subject of slavery? Nor in doing so, was there any thing constrained or far-fetched. It is a conclusion so natural and necessary, in view of the premises, as furnished in the history of the Church, that the only wonder is, that men claiming enlarged information could be prevailed upon to risk its denial. It is urgently assumed in the Reply, that the North has always been conceding to the South, as it regards slavery. The question arises, have they done so, except as it was just and right? Have they sacrificed principle and duty, by concession? If not, the just claims of the South to the concessions made, are admitted by their own acts in the case, and the result is compromise. We have seen, and shall have occasion further to see, that in order to the very existence of the law of slavery in the Methodist Episcopal Church, compromise was an indispensable condition. Without it the law could not have been. In a conflict of necessities, the parties legislated upon the principle of mutual accommodation. Neither party had what they desired, each gave up what they were anxious not to part with, but agreed to unite, upon what they could obtain, in the adjustment, without disunion, and this social guaranty, in the shape of public law, has been looked upon, in the South at least, as a compromise, because concession was known to be its basis, and because, without such a reciprocal modification of different and opposing elements, interests, and wishes, no law could have bound the North and South together. The Bishops in their General Conference address, 1840, say, "it is *impossible* to frame a rule on slavery proper for our people in all the States alike," and certainly it is not less impossible to do it in the case of the ministry. The only reasons involving conscience or principle, apply alike in either case. And accordingly the law of the Church has always been different in its application to different States, and we are thus presented with the necessity, the reasons, and the fact, of compromise, as assumed in the Protest. The sum of the whole legislation on the subject, has been essentially conventional in character and bearing, and although without any formal ratification by the parties as such, has been in fact a compromise arrangement. Dr. Bangs says, "the several modifications of the rules on slavery, from one General Conference to another, until the present time, all partake of a similar character," (that of compromise,) "intending to record the *opposition* of the Church to the *system*, and to adopt such measures to *mitigate* its evils, and finally, if possible, to do it away, as wisdom and prudence should suggest." Speaking of the legislation of 1784, the Dr. says, "even this *gradual* process *could not* be carried forward, without producing a *greater evil* than it was intended to remove," and adds, that the law "was suspended," (the Church finding it necessary to compromise,) "in favor of those more wise and prudent measures, which the Church has ever since used, and is ready to use, for the extirpation of slavery." Even the zeal of Dr. Coke cooled in contact with the reasons and necessity for compromise to which we allude. "On his second visit to America, Dr. Coke was convinced he had acted *indiscreetly*, and he consented (when

pressed by the South,) to let the question of emancipation alone." "He proceeded in such an intolerant spirit of philanthropy, that he soon provoked violent opposition." "His mistaken zeal and the unfavorable influence his opinions and course had, on the subject of slavery in the South, are matters of history."—*Drew's Life of Coke, Southey's Wesley, Coke's Journal.* The General Conference in their address to the British Conference in 1840, say, "under the administration of Dr. Coke, emancipation was urged alike in all the States, without reference to *law* or *public opinion*—the attempt proved almost *ruinous*, and was soon abandoned by the Dr. himself. While therefore, the Church has encouraged emancipation, in those States where the laws permit it, and allow the freedman to enjoy freedom, we have refrained from *conscience sake*, from all intermedling with the subject, in those States, where the *laws* make it *criminal.*" Would truth permit the last Generel Conference to make such a statement? They add, "the question of the evil of slavery, is a very different matter, from a principle or rule of Church discipline, to be executed *contrary* to and in *defiance* of the laws of the land." There is perhaps no single word in the English language, so fully expressive of the meaning of the General Conference in this statement, as the single word compromise, if we take into the account, with the course of action indicated, the reasons which obviously led to it. The General Conference says, of both the ministers and members of the Church, "with their rights as citizens of these United States, the Church disclaims all interference." Apply this to the Southern ministry and membership, connected with slavery, where emancipation is impracticable, and what does it expressly authorize them to assume, on coming into the Church, or any grade of the ministry? By what means could it be made clearer, that the General Conference pledges, that the legislation and practical government of the Church, should be such, as not to conflict with the rights of citizenship in any of the States. How was this pledge treated by the late General Conference, especially in the case of Bishop Andrew? The General Conference of 1836 declared, "such is the diversity of habits, thoughts, manners, customs, and domestic relations, among the people of this vast Republic, and the diversity of the institutions of this vast confederacy, that it is not to be supposed an easy task, to suit all the incidental circumstances of our economy to the views and feelings of the vast mass of minds interested." Is it not intended, that the facts brought into view, shall desiderate the *necessity* of compromise, in order to prove its *reasonableness*, as it actually existed in the law of the Church? Again they say, "we pray that brethren, will at least give us the credit of having acted in good faith, not having regarded private ends or party interest, but the best good of the whole family of American Methodists." The allusion here to parties, "party interests" and "good faith," may tempt some to think, that both the language and sentiments of the General Conference had been plagiarised into the Protest. They add, "we assure you, we have adopted no new principle or rule of discipline; respecting slavery, since the time of the apostolic Asbury, neither do we mean to adopt any. There are States in which slavery exists so universally, and is so closely interwoven with the civil institutions, that both do the laws disallow of emancipation, and the great body of the people, (the source of laws with us,) hold it to be treasonable, to set forth any thing by word or deed, *tending that way.*" As it would be wrong and *unscriptural* to enact a rule of discipline contrary to the Constitution and laws of the State, on this subject, so also would it not be equitable or *scriptural*, to confound the positions of our ministers and people, so different are they in different States, with respect to the *moral* question which slavery involves." The good sense of these passages, will command respect every where, but when we come to apply them in the case of Bishop *Andrew, we are* compelled to see, that the requirement of the late

General Conference was both disallowed and held to be treasonable both by the laws and people of Georgia—was contrary alike to its "Constitution and laws," if the last may explain the first, and therefore, by authority of the General Conference of 1836, not only "wrong," and "inequitable," but "unscriptural," albeit, it is in bad taste and worse odour to invoke scripture to this effect. They say further, "we have been less or more agitated with the perplexing question of slavery, interwoven as it is, in many of the State Constitutions, and left to *their disposal* by the civil compact, which binds us together as a nation, and thus put beyond the power of the legislation of the General Government, as well as the control of *ecclesiastical* bodies, could you have perceived all its delicate *relations to the Church*, to the several States, and the government of the United States, you would have sympathized with us more tenderly." Contrast with this language, the rash and reckless proceedings, (so we are compelled to regard them,) of the General Conference of 1844, and who can help being struck with their irreconcilable dissimilarity. Here is a most "perplexing question," "interwoven" with some fifteen "State Constitutions"—at the "*disposal*" of these States alone, and this too by the stipulations of the national compact—"beyond the power of the General Government, or the control of ecclesiastical bodies,"—"delicately" connected with "*the Church*"—the "several States" and the government of the United States. In 1844, however, all is changed. The Majority place "theatres and grog-shops," side by side with slavery, and declare them equally allied to law and government. And their organs have since improved upon the discovery, by the addition of "drunkenness, profaneness, and the card table"—all equally condemned by morality, yet equally protected by law! The General Conference of 1836, by solemn resolution declared, "we wholly disclaim, any *right*, *wish*, or *intention*, to *interfere*, in the *civil* and *political* relation, between master and slave, as it exists in the slave holding States in this Union." Here the relation between master and slave is "*civil* and *political*," and the Conference disavows any "right" to "intefere." Georgia was a slaveholding State—Bishop Andrew a citizen and master, and the late General Conference declared, that the "*civil* and *political*" relation, existing between him and his slaves, must be dissolved, or he cease to be a Bishop of the Methodist Episcopal Church, except in a state of suspension—that is, hung up for further punishment. Take the public faith of the Church, as pledged to James O. Andrew, in the resolution above, and then turn to the redemption of that pledge by the late General Conference, and tell us which is laboring under the greater "impediment," and which ought to "desist," until it is removed? In the address of the Bishops in 1836, they say, "from a calm and dispassionate survey of the whole ground, we have come to the solemn conviction, that the only safe scriptural and prudent way for us, both as ministers and people to take, is *wholly to abstain* from this agitating subject." What deference did the Majority of the late General Conference extend to this advice? In all the General Conference *olympiads* of the Church, has any one been half as much distinguished by agitation, as was the close of the last?

The Bishops state in behalf of the Annual Conferences generally—"they have no disposition to criminate their brethren in the South, who are unavoidably connected with slavery, or to separate from them on that account." Bishop Andrew, by the showing of his prosecutors, was "unavoidably connected with slavery," entirely apart from his marriage, and the assurance here given by the Bishops, and endorsed by the General Conference, was utterly disregarded in his case. The Bishops add of the Conferences, "they clearly perceived that the success of abolition measures would result in the *division of the Church*." Did or did not the anti-slavery party so act at the late General Conference, as to give success to "abolition measures," and thus incur the responsibil-

ity of a "division of the Church?" In the same connection, the Bishops strongly insist on "no imposition of new terms of communion—no violation of covenant engagements, on the part of the Church." This is too much in character with the doctrines of the Protest, not to be condemned with it. The Bishops obviously regarded the Annual Conferences as original contracting parties, creating the Delegated General Conference with limited rights and powers, and the law of slavery as one of congruity and comity, to which they had mutually consented, in General Conference action, for the good of the whole body—hence the law of slavery a *term* of communion—and "covenant engagements" which *may* be broken by the General Conference. Does the abused compromise of the Protest assume more than this? The Bishops remark further: "Rules have been made, from time to time, regulating the *sale, and purchase, and holding* of slaves, which, upon experience of the great difficulty of administering them, and the unhappy consequences, both to masters and servants, have been as often changed and repealed. These important facts, which form prominent features of our past history, as a Church, may very properly prepare us for that course of action in future, which may be best calculated to preserve the peace and unity of the whole body—promote the happiness of the slave population, and advance, generally, in the slave holding community of our own country, the humane and hallowing influence of our religion. We cannot withhold from you, at this eventful period, the solemn conviction of our minds, that no new ecclesiastical legislation on the subject of slavery, at this time, will have a tendency to accomplish these most desirable objects." How far this admonition, to adhere to existing "covenant engagements"—the compromise of the Protest, was adhered to in the premises of this controversy—and to what extent "new legislation" was had by forced construction of existing law, we shall have occasion to see by viewing the subject in a variety of additional aspects. The Bishops vehemently urge the ministry, including themselves, to employ their "whole influence to bring both slave and master to a saving knowledge of the grace of God, and to a practical observance of the relative duties of 'master and slave,' so *clearly prescribed* in the writings of the inspired Apostles."—(The duties growing out of the relations of the theatre, grog shop, card table and race ground, omitted.) "Can we," they add, "at this eventful crisis, render a better service to our country, than by laying aside *all interference with relations* authorized and established by the civil laws, and applying ourselves wholly and faithfully to what specially appertains to our high and holy calling—to teach and enforce the moral obligations of the Gospel, in application to all the duties growing out of the different relations of society. If past history affords us any correct rules of judgment, there is much cause to fear, that the influence of our sacred office, if employed in interfering with the *relation itself*, and *consequently*, with the *civil institutions* of the country, will rather tend to prevent than to accomplish these desirable ends." How this advice, sanctioned as it had been by the whole Church, was dishonored by the late General Conference, no one need be told.

The British Conference, in the last charge to their West India Missionaries, before the abolition of slavery there, explicitly declare: "Your only business is to promote the moral and religious improvement of the slaves to whom you have access, without, in the least degree, in public or private, interfering with their *civil condition*." And in their address to the Methodist Episcopal Church in 1839, on the subject of slavery, they say: "You are placed in circumstances of painful trial and perplexity. We enter with brotherly sympathy into the peculiar situation you are called to occupy." First disclaiming any right to meddle with the *civil* condition of the slave, even in the West Indies, where slavery *existed* without the guaranties with which it is surrounded in this

country; and secondly, admitting that our position, in this respect, is a peculiarly trying one, and therefore calls for treatment suitable to the difficulty and issues involved. Again, the British Wesleyans instruct their Missionaries—"on all persons, in a state of slavery, you are diligently and explicitly to enforce the same exhortations which the *Apostle* of our Lord *administered* to the *slaves* of ancient nations." There is certainly a startling contrast between these views, and the kindred advice of our Bishops, as it regards the apostolic practice of inculcating upon all slaves, the Scripture duty of obedience and fidelity, and the affectation of pious horror manifested at the recent General Conference, lest the Bible should be invoked on this subject for any purpose not involving the denunciation of slavery. The difference is, the first *has*, and the second *lacks* the warrant of the Bible. At the Western Conference in Tennessee, in 1808, Bishop Asbury says: "We made a regulation on slavery; it was, that no member of society, or preacher, should sell or buy a slave, unjustly, inhumanly, or covetously." The concession here by Bishop Asbury and the Conference, is, that in view of the existing system of slavery, (though regarded as an evil,) ministers, as well as members of the Church, may nevertheless both buy and sell slaves, without the charge of injustice, inhumanity, or covetousness—that is, without any charge of moral wrong. At the Virginia Conference, in 1809, Bishop Asbury says: "We are defrauded of great numbers by the pains that are taken to keep the blacks from us." Why? He adds, "their masters are afraid of *our principles*"—that is, abolition principles. He goes on, "would not an amelioration in the *treatment and condition* of slaves, have produced more good to the poor Africans, than any attempt at their *emancipation?* What is the personal liberty of the African, which he may abuse, to the salvation of his soul?" Well may we pause over these concessions of the experienced Asbury. He avows that abolition had "defrauded" the Church of multitudes, (not only thousands, but hundreds of thousands of slaves,) and he admits that the salvation of these unfortunate slaves had been jeopardized by attempts at their emancipation, which had proved as abortive, as they were offensive and injurious. At the Southern Conference, held at Green Hills, North Carolina, in 1785, Dr. Coke warmly, and in reproachful language, objected to the character of Rev. Jesse Lee, because he was not in favor of coercing the immediate unconditional emancipation of all slaves owned by Methodists. This resulted in a serious personal conflict, producing great division of feeling, and a high state of excitement in the Conference. The Doctor found himself in the minority, and finally apologised for his conduct. The difficulty, however, was renewed a few days after, at a Conference in Virginia, where the people became greatly excited against the Conference, on account of their interference in matters of civil right. The author of the Life of Lee, alluding to this conflict with Dr. Coke, remarks that Lee "anticipated what in reality was brought to pass, a few years after, that the spirit of the (Southern) people would be roused, by pressing the subject too closely, and that it would be the means of closing the door effectually against *future* emancipation." Indeed, nothing is more evident, than that parties, as they now exist, have existed from the beginning, in the Methodist Episcopal Church, on this subject; and that the zeal and indiscretion of the abolition party, during the whole term, have tended directly to check and arrest the progress of emancipation, so that no unimportant portion of Southern slavery, is directly chargeable, during a period of sixty years, to such interference by a portion of the Church. History and experience, a thousand experiments and as many failures, have demonstrated to the good sense of all concerned, that to meddle and denounce, can never mitigate the evils of slavery, in this country. And if slavery and Methodism ought not to co-exist, in the same fellowship, why, in the name of any or all the virtues, has the con-

nection been allowed at all, whether by Wesley himself, in the early American and West India societies, or by the Methodist Episcopal Church? Mr. Wesley made no attempt to exclude it—had no rule—gave no directions on the subject. He condemned the system, but as a practical question of civil origin and regulation, refused to meddle with it. The Methodist Episcopal Church has always waged war upon the evil, and yet would not part with it; that is to say, has always proclaimed slavery an evil, and yet admitted slave holders to all the rights and privileges of lay and ministerial standing. A standing antagonism has been maintained, but always in a state of wedlock. How will the historian make appear, that it was fair and just, honest and honorable, to admit slave holders, as they have notoriously, since 1770, both to membership and office, with the intention of making emancipation the condition of the one and the other, subsequently? If the first be admitted but the latter denied, then what becomes of the Church's "opposition" to slavery? In what sense has slavery "been treated as an evil?" Unless we take the ground that it was the purpose of the Church to oppose slavery, as one of the many forms of civil oppression, but not to treat the slave holder as involved in moral blame, in view of the mere relation itself, how can we defend the character of the Church? Look at the ground we have just gone over. Why this temporizing hesitation—this complication of terms and conditions—these declarations of hostility, followed by truce, suspension and repeal? Look at the subject as we may, the idea and the necessity of compromise, obtrude at every step. The real difficulty, which ever and anon has presented itself, in the history of legislation, has always arisen out of a conflict of opposing elements and interests. The conflict proves the existence of parties, and the adjustment of the difficulty, by legal enactment of the parties in common council, proved the only and yet real compromise, for which we contend. Lee, in his history of American Methodism, speaking of the legislation of 1784, observes: "These rules were offensive to most of our Southern friends, and were so much opposed by many of our private members, local preachers, and some of the traveling preachers, that the execution of them was suspended." That is, the legislation of a majority was suspended upon the Protest of a Southern minority. The parties were as distinctly marked sixty years ago as now. Lee says of the Conference first legislating on the subject of slavery in 1780: "None of the preachers South of Baltimore were present at the Conference." It was a Northern movement entirely—a one-sided measure—the South would not submit to it, and the "Rules" soon went to the grave of the Capulets. The action in 1780, should be carefully kept in view, as the deed of the North, distinguished from the South, although it has been dexterously palmed upon the whole body of primitive Methodist preachers. Lee is explicit: "On the 24th day of April, the eighth Conference met in Baltimore, where the *Northern* preachers *only* attended." The North had the preponderance of strength, and ruled, as now, the minority of the South. Speaking of the Northern Conference and the Southern Conference contra-distinguished, Lee says the Northern Conference "was allowed greater privileges than that in the South, especially in making rules and forming regulations for the societies. Accordingly, when any thing was agreed to in the Virginia Conference, (South) and afterwards disapproved of in the Baltimore Conference, (North) it was dropped. But if any rule was fixed and determined on at the Baltimore Conference, the preachers in the South were under the necessity of abiding by it." The North having the majority, and controlling the South. In 1803 the Southern conferences had 165 preachers, and 56,000 members; while the Northern Conferences had a less numerous membership, with 218 preachers—an excess of more than 50; and a similar disproportion has always existed, giving Church control to the North. It is true, in early times the North and

South would have been about equal in numbers and strength, had the Baltimore Conference acted with the South, where geographically and politically she properly belongs. That Conference, however, has always cherished affinities for the North, and continues to do so, and this fact has secured to the North the power of the Church for 65 years or more. Contrary, therefore, to the round assertion of the Reply, the preponderance of strength has always been in the North. Upon this misstatement of fact, and the consequent inconclusive reasoning of the Respondents, it is not necessary to enlarge. Numerous facts support our general position. In raising a fund, the year before our Church organization, that is in 1793, for the support of preachers' families, the assessment was "North Circuits £200, South Circuits £60;" showing the great disproportion in strength and resources. At the General Conference of 1804, the Baltimore and Philadelphia Conferences alone, furnished 67 members, nearly two thirds of the whole number. Had not the Baltimore Conference represented Pennsylvania rather than Maryland, as she always has in this respect, the North and South would have been equally divided, with three Bishops (Englishmen) at their head. As it was, the North was decidedly in the ascendant. Indeed, up to the General Conference of 1812, the Baltimore and Philadelphia Conferences furnished more than half the members of all the General Conferences. I have often heard it stated by those who were present, that at the Christmas Conference of 1784, there was but a small number of preachers present, and scarcely any from the South, until toward the close, when nearly all the business had been despatched. This statement is sustained by Lee's history, and especially by Bishop Asbury, who says: "Friday 24, (December,) rode to Baltimore, where we met a *few preachers;* it was *agreed* to form ourselves into an Episcopal Church, with Superintendents, Elders and Deacons; *when the Conference was seated*, Dr. Coke and myself were unanimously elected to the Superintendency of the Church. We were *in great haste*, and did *much business* in a *little time*." In all this, Northern ascendancy is distinctly visible, as the power of control has been in fact with the Northern Conferences, and the South strictly a minority.

Bishop Asbury states, that soon after its publication, he learned that the address in 1800, of the General Conference, calling on the Southern Legislatures to emancipate the slaves of the South, had, in South Carolina, "been the occasion of producing a law, which prohibited ministers attempting to instruct any number of blacks with the doors shut, and authorizing a peace officer to break open the door in such cases, and disperse or whip the offenders. Nothing could so effectually alarm, and *arm* the citizens of South Carolina, against the Methodists, as the address of the General Conference. They did indeed, (before,) give their slaves liberty to hear and join our Church, but now it appears the poor Africans will no longer have that indulgence." Again he says, "I lament that I have no access to the poor (slaves,) our way is strangely closed up, at present, in consequence of *the address*." Drew, speaking of Dr. Coke and his associates, remarks, "on account of their attacks on slavery, they were in danger of being altogether hindered from prosecuting their ministry, and hence were compelled *to change their course*," that is, driven to compromise. He says, "if Dr. Coke had continued his direct attack upon the slave trade, (slavery is meant,) he must have abandoned the United States." These and kindred facts, early decided the Church in favor of a compromise course. When, at the General Conference of 1808, the Bishops were authorized to ordain colored persons, free or slaves, to the office of Deacon, it was deemed unadvisable to publish the fact, nor was it published until nine years after. Lee says, "most of the Preachers were opposed to its being made public." Why this deference to Southern opinion and feeling, unless the Church had resolved on a course of compro-

mise treatment? Dr. Bangs says, "they found it necessary to relax in their measures against slave holders, without, however, attempting to justify the system itself." Lee says of these early measures: "It was going too far, and calculated to irritate the minds of our people, and not to convince them." He adds: "Long experience has taught us, that the various rules that have been made on this subject, have not been attended with that success which was expected. We are well assured they never were of any particular service to our societies." He informs us: "Dr. Coke met with much opposition in the South, owing to his imprudent manner of preaching against slavery. No doubt the Doctor, at the time, thought he was doing right, but afterward, when he printed his Journal in England, he acknowledged he was wrong in preaching publicly against slavery in Virginia, where the practice was tolerated by law." The General Conference of 1796, apparently in doubt about what had been done, calls upon the whole Church, to give, in any form they might prefer, their maturest thoughts on slavery; and yet Coke and Asbury, in preparing and publishing, by request of this Conference, their notes on the Discipline, say not one word in explanation of the section on slavery. The general rule, respecting which there was no diversity of opinion, they explain, but pass over the *vexed question*, which then, as now, was giving the Church so much trouble—that is, how we are to attempt *correction*, without *increasing the evil!* Was not this very silence a concession to the magnitude of the difficulty? The probability that the general rule was inserted by order of the Bishop's council, is strengthened by the fact that the slavery question was allowed to slumber—was not agitated at all, from 1785 to 1796. In the year 1789, the date of the rule, there were eleven Conferences, all quite small, as we learn from Lee, Bangs, and others. No one of them could claim any thing like conventional authority, and this fact, connected with the preceding one, renders the supposition above almost certain; especially when connected with what we have before stated, and the silence of Conference history on the subject.

Dr. Durbin says: "The Church has gradually made concessions to the necessities of the slave holding States—our fathers wisely made them, on the ground of necessity—the Methodist Church could not have existed at all in the South, without them." An analysis of the Doctor's concession, shows that the majority of the North conceded, upon the *just demand* of the South, and that the South and North, in *asking* and *making* the concession, sought the common unity and good of the whole, and the Doctor thus gives us, in part, the true compromise of the Protest. Dr. Bangs assumes that the Methodist traveling ministry "pledge themselves to each other, not to violate those conventional obligations, under which they have reciprocally bound themselves, as articles of faith, and rules of moral, religious and ministerial duty. Against these they are not at liberty to speak, preach, or write. Without the redemption of this pledge, there can be no peace or union." How far, and with what force this applies to our compromise argument, and our reasoning on the subject of conventional pledges, in the shape of legislation, will be seen at once, without remark from us. On the subject of slavery the Dr. says, "at almost every General Conference, some enactment has been made for the purpose of regulating slavery—of modifying or mitigating its character, with a view ultimately, if practicable, to do it away. It is manifest, that the making rules for the regulation of a practice, is in some sense to pronounce, that the practice is not, in itself, considered independently of all concurring circumstances, a moral evil in the sight of God. To legislate for a thing is to sanction it, though the manner of holding the thing may be considered either unlawful or inexpedient." This is the true compromise doctrine of the Church. The legislation of the Church has aimed at the *regulation* of the practice in question. This implies not merely toleration, but as Dr.

Bangs says, some degree of "sanction." The Church has never legislated, in view of regulating Drunkenness, Profaneness, Gambling, Theatres, and Grog-shops. Every aspect in which the subject comes up, proves the folly of any attempt to place slavery in the same category with these. The whole history of Methodism, disowns the classification as absurd, and in the language of the General Conference, "unscriptural."

On the general view of the subject we have taken, hear the *venerable Bishop Hedding*, whose reasoning has never been influenced by a Southern sun or Southern sympathies. He says, "the Church has permitted her members to hold slaves, where the laws of the land are such that they will not allow of emancipation, without subjecting the emancipated person to be again enslaved. The *right* to hold a slave, is founded on the rule 'all things whatsoever ye would that men should do to you, do ye even so to them.' That there are many such cases among our brethren of the Southern States, I firmly believe. If I did not believe it, I could not do the duties the Church requires me to perform, when I attend the Southern Conferences. If I had not believed it in 1824, I could not have accepted the charge committed to me, when I was made one of the Superintendents of the whole Church, including slaves and masters. They believe that to emancipate their slaves, would be breaking the rule, 'do as you would be done by.' We cannot convince them by censuring them. Other means must be used if ever they are convinced. But that they are wrong in *principle*, cannot be proved, unless you can produce a precept of the Divine law equal to this, 'thus saith the Lord, thou shalt not own a slave.' But this precept is not in the Bible. Will you say slavery is condemned in the parts which compose it. This is true of the slave trade, of the system, and of all the injustice and cruelty inflicted on slaves, but it is not true in circumstances, where the best possible thing a man can do for his slaves, is to hold, protect, feed, and govern them. Will you say, 'undo every burden and let the oppressed go free;' but the people I have described are *not oppressed* by their owners. If their present owners should set them free, they would be oppressed by others. They are now held to protect them from oppression, and to own them is the only way to protect them. The Church has never said there could be no circumstances, in which a man could own slaves, and yet be innocent—nay, she has said the contrary." Since the organization of the Church in 1784, he represents her as "teaching those who could put away their slaves, on our Lord's rule, to do so, and also teaching those who could not thus release them, to conduct towards them as the Saviour directed." He says "the address of the General Conference on slavery in 1800, was the occasion of a vast amount of injury both to them and the work," Speaking of the entire history of the Methodist Societies from their first establishment to the organization of the Church in 1784, the Bishop remarks, "Mr. Wesley and his preachers did not, at that time, believe it was a sin to hold slaves, where the laws were such as to prevent their continuing free after being manumitted. The language they employ clearly shows that it was their opinion that their people might be innocent in holding slaves, where the laws did not permit emancipation on christian principles. Mr. Wesley never said one word, that I can find, against a christian man's holding his slave in circumstances where he could not put him away without injuring him. And the fact of his allowing some of his preachers and members to hold slaves in this country, for several years before our Church was organized, is sufficient evidence to my mind, that he saw that nothing better could be done for the slaves, circumstanced as those owners were, than to hold, feed, protect, and govern them. While this state of things continued Mr. Wesley ordained a Bishop and two Elders for this country, sending them over to organize his preachers and societies into an Episcopal Church, at the same time appointing Mr. Asbury joint superintendent with Dr. Coke, when he

must have known, that many, both of his preachers and members in this country, held slaves." Again, "I have been severely condemned, for expressing an unwillingness, to put a resolution to vote, in an Annual Conference, tending to censure our brethren in the South, for doing the same thing which Mr. Wesley allowed their fathers to do, when in connection with him, and when, also, he possessed the full power to prevent their doing so, or to expel them." Methodist Societies were formed in the West Indies about the time they were in the United States, and Bishop H. remarks, "they were under Mr. Wesley's superintendence, and from the best information I have been able to obtain, slave owners were admitted into those Societies. Mr. Wesley believed St. Paul permitted Philemon to be a member of the Church at Colosse, *while he held Onesimus a slave*. That Dr. A. Clarke, Mr. Benson, Dr. Coke, and Mr. Watson also believed that the *Apostles permitted slave owners* in peculiar circumstances, to be members of the Church of Christ, is a fact too plainly declared in their writings, to admit of a doubt. These authors must have believed, that the Apostles knew, that the christians of their day were under such laws or circumstances, that the only thing such of them as held slaves could possibly do for them, according to our Lord's rule, was to hold, protect, feed, and govern them. They all believed that in some circumstances, men might own slaves and yet be christians. Though the Methodist Episcopal Church always permitted slave owners to remain in her communion, where they could not put away their slaves without violating the Saviour's rule, she labored hard and long, by various rules and resolutions, and other efforts, all within the great principles above laid down, to prepare the way for, and finally to accomplish a universal emancipation, especially in the Church. But she found, the more she exerted herself on this subject, the more hindrances were thrown in her way, by legal enactments, popular excitements, and by persecution. She found that, by trying to release the bodies of the slaves, she was hindered from using the means to save their souls, and that instead of removing their burdens, she was made the occasion of increasing them. The Church found herself driven to this alternative, either to cease using *direct* means to accomplish universal emancipation, or abandon the largest portion of the Southern country." That is, the Church was driven to compromise, as the only possible mode of doing any thing to accomplish the object it had in view. Bishop H. says, "she determined to do all in her power, to save both slave and master. By these" (compromise,) "measures, the Church has held a powerful influence over thousands of both colors—she has prevented a vast amount of injuries, which otherwise," (without such compromise,) "would have been inflicted on the poor slaves. The civil government of that country, (the South,) is not in the hands of the Methodists, and further, if they were so disposed, to attempt to control it on this subject, would only hinder their great work, and bring heavier afflictions on "God's suffering poor." Let our Lord's rule be enforced, till the rulers and the great body of the people, of both colors, feel its influence, and then will the great Jubilee come, and it is my opinion, it will not come before, unless it be brought about by *war, blood, and revolution*. You cannot fail of perceiving, that I am on the ancient Methodist ground, in relation to this subject—the ground trodden by Wesley, Coke, Clarke, Benson, Watson, Asbury, Whatcoat, Garrettson, and many other wise and holy men, who now rest in Heaven." In review of the whole, the Bishop says of the Church, "she has changed her measures," (intending compromise,) "from time to time, as the changes of circumstances seemed to require, but never her principles." This is enough—we want no more.

This extract of manly and luminous statement and reasoning, from Bishop Hedding, is a true and living picture of "Methodism and slavery," and well worthy the attention of the whole Church; nor is *there any thing* in it, variant from the mass of opinion and

evidence, we have submitted from the standard writers, the Bishops, and the General Conferences of the Church. It is emphatically the doctrine of the Church, the creed of Methodism respecting slavery. It was upon the compromise principles of the Bishop's argument, that Dr. Coke became the owner of slaves, by actual and deliberate purchase, as superintendent, under Wesley, of the West India missions. It was too, in precise accordance with this general view of the subject, that the General Conference of 1840 said, "as emancipation, under such circumstances, (that is, in States where it is not practicable, so as to secure the enjoyment of liberty to the freed slave,) is not a requirement of Discipline, it cannot be made a condition of eligibility to office." None need be told, that contrary to this official assurance, the last General Conference did make emancipation, under the very circumstances described, a necessary condition of such eligibility. Again, the Conference says, "an appeal to the policy and practice of the Church, for fifty years past, will show incontestibly, that whatever may have been the convictions of the Church, with regard to this great evil, the nature and tendency of the system of slavery, it has never insisted upon emancipation, in contravention of civil authority, and it therefore appears to be a well settled and long established principle, in the polity of the Church, that *no ecclesiastical* disabilities are intended to ensue, either to the ministers or members of the Church, *in those States* where the civil authority *forbids* emancipation." In relation to this grave decision of the General Conference, who can help seeing that the General Conference of 1844, directly contradicted, contravened and laid it aside, while *ecclesiastical disability*, under the precise circumstances excepted, was officially decreed. Thus proving, as charged by the Protest, that the good faith of the General Conference of May last, is placed in a very questionable point of view, in the cases of both Harding and Bishop Andrew. The General Conference of 1840 declares further, "that in the Discipline, we have two distinct classes of legislative provision, in relation to slavery, the one applying to owners of slaves, where emancipation is practicable, consistently with the safety and interest of masters and slaves, and the other, where it is impracticable, without endangering such safety and these interests, on the part of both. In the latter case *no disability attaches on the ground of slavery*, because the disability attaching in other cases, is *here removed* by special provision of law." Contrast this declaration with the action of the late General Conference, and that action will be found, a direct violation of an *express guaranty* by the highest authority of the Church. The same General Conference continues, "may not the principles and causes, giving birth to great moral and political systems or institutions, be regarded as evil, even essentially evil, in every *primary* aspect of the subject, without the implication of moral obliquity, on the part of those involuntarily connected with such systems and institutions, and providentially involved in their operation and consequences? May not a system of this kind, be jealously regarded, as in itself more or less inconsistent with natural right and moral rectitude, without the imputation of guilt, and derelict motive, in the instance of those, who without any choice or purpose of their own, are necessarily subjected to its influence and sway?" And if so, in the case of slavery in the United States, what but a compromise course can be pursued by the Church, without a direct invasion of civil and religious rights, growing out of long established relations, consecrated by the sanctities of conventional adjustment in the great national compact?

About the mere term compromise, I am not disposed to contend—in fact care nothing about it. It was used in the Protest as typing the truth of history, and so used we yield nothing assumed in the Protest. The use of the term may not have been familiar *in the North*. But that it has been in familiar use, among well informed Methodist

preachers and laymen in the South, for a long term of years, I know to be the fact, and certainly did not know, when the Protest was written, that this was not the case in the North. I had heard it used, as I have shown, for more than thirty years, by fathers and leaders of the Church; and not dreaming that either the term, or the fact it was used to type, would be questioned in any quarter, it was used without consultation with any one. To what purpose, and with what claim to historical correctness, the question has been mooted by the Reply, and in one or more of the Northern papers of the Church, let those concerned determine at their leisure. A Northern man who was in the General Conferences of 1796, 1800, 1804, and 1808, says, in a letter before me, "when we met in General Conference, *May* 1808, and the report came from the South, what great injury had been done to the progress of religion among the slaves and the free, the *North and South mutually agreed* to compromise on that subject, and every thing relating to the question of slavery, (as to private members,) was stricken from the Discipline, and each Annual Conference authorized to form its own rules and regulations on the subject of slavery," (in relation to the preachers.) "Why the compromise of 1808, was ever violated, or by what influence the right of each Annual Conference was taken away, I am not able to say. The course pursued from 1812 to 1844, comes within your own knowledge."

Another member of all the General Conferences from 1796 to 1808, says, in a letter with reference to the legislation of 1804, and an attempt to adjust the difficulties of the Church on the Slavery question, "we got the compromise act passed:" and, again, "the compromise act passed at that time, I think was sufficient to satisfy every one upon the subject, North and South." Another member of every General Conference from 1796 to 1812, and who sides with the North in this controversy, remarks, in a letter received from him, "as to the conservative rules, I have no recollection when they were *not;* for what else could we do? We had no right to make rules in opposition to the laws. As to its being middle ground, on which the North and South met, by way of compromise, I always thought it ground on which we met *of necessity*, not choice." Still they met there, and the fact of compromise is admitted. Another says, "surely it is manifest that the whole course of our legislation on Slavery has been a compromise. The constant effort, indeed, from the beginning, has been to establish and enforce the Old England and New England doctrine and practice of abolition; but it was ever found to be impracticable, and while *abandoned in practice*, it was still contrived to keep on record the testimony of that creed." No comment is necessary to show the value of such proofs, as establishing the main position of the Protest on this topic. These men speak of different compromise acts, and the Protest assumes these different acts, often changed and modified from 1800, but especially 1804 to 1816, as constituting, *in sum*, the compromise law of the Church on Slavery. The reasons of the legislation, to which these men allude, are distinctly recognized by the General Conference of 1840. "It must be expected that great variety of opinions and diversity of conviction and feeling will be found to exist in relation to slavery, and most urgently call for the exercise of mutual forbearance and reciprocal good will on the part of all concerned." With opinions so variant, and conviction and feeling so diverse, how can men live and act together in peace and unity, unless upon the ground of compromise?

Before dismissing the topic of compromise, we have other important views to submit on the subject. We maintain, that the moral character of slavery in the United States connects, essentially, with its civil and political aspects and relations, and that apart from the latter, the former cannot be justly conceived of. Every where in the Bible, and it is *brought to view directly or* allusively in hundreds of instances, slavery is re

garded as a *civil* regulation, and all ecclesiastical interference should treat it as such. In the United States, slavery is mixed up with organic State relations, and involves original jural rights. These relations and rights are ordained and declared by the Constitution creating the Government of the United States, to be both Federal and National, pertaining in part to the States confederating, and partly to the Nation, as composed of the contracting parties. The rights arising out of the relations in question, as it respects Slavery, are, by constitutional arrangement, under the protection of the federal power and supreme law of the Nation, and any citizen, or association of citizens, invading these, in any form, or so acting as to reduce their force or value, is, incontestibly, guilty of a civil, and we maintain by consequence, a moral trespass. By the compact of the constitution, slavery is made an integral part of the basis of Federal and National representation, and this as much by the act of the North as the South. Against their wishes and remonstrances, especially Virginia and Georgia, it was introduced into the Colonies under the high sanction of British Law. It is strictly and essentially of jural origin in the United States, and based in the government of the country upon the legislation of National Sovereignty. It is an accredited principle—a well known condition of the national compact, without which it is equally well known no Union of the States, North and South, would or could have taken place. Slavery is only provincial in view of geographical locality; in all its more important aspects it is Federal and National in its relations and bearings. Viewing the North and South, as each a collection of States, they have long existed distinct historical parties on the subject of slavery—parties by constitutional and legislative arrangement—parties by compacts of law, and different and opposite judicial determinations proceeding upon them: each legislating about the negro, slave and free, not only in diverse, but antagonist directions—opposed more or less in interest, feeling, policy and purpose; and is it supposed that the Methodist Episcopal Church could diffuse her influence, and marshal her 500,000 ministers and members on either side of the line without the *existence*, if not formal organization, of parties? The conflicts in every General Conference since 1792, prove the existence of such parties in the Church; and their separate principles have been developed and modified, from time to time, by various forms of repeated practical application, until they have expanded, North and South, into something like distinct systems, involving belief and feeling, strong and tenacious, and deeply interwoven with the practical life and social existence of the people. It has been a result as proper as it was natural and necessary, that the Church, in each of these great national sections, has not been arrayed against the policy of the State, but more or less conformed to it. In the Methodist Church, the parties in question have always been distinguished by other characteristics than those already mentioned. The Northern division of the Church has been, to a great extent, a *movement party*, while the Southern has been stationary and conservative. That the South has been most impulsive and excitable, is admitted. They have an interest at stake, not felt in the North. But that the South has ever attempted agitation, or engaged in discussion or controversy on the subject of slavery, except in self-defence, or when assailed from some quarter, will hardly be assumed by any one. In the history of attempts at legislative change, it will be found that nearly every proposition for new and further interference has come from the North, while the South has generally simply resisted. The North has proceeded from one extreme and extravagance to another, in the denunciation of slavery as a wrong, an evil; the South admitting and feeling it to be an evil, entailed upon them by the ancestral governments of the country, and asking for a remedy that would not be a greater evil. Meanwile, *Southern Methodism* has done, even for the *freedom* of the negro, a thousand fold more

than Northern, beside what has been done for the earthly comfort and final happiness of the slave, as such. The Church, like the State, has always presented dual antagonistic forces—different primitive types of action, North and South, on the subject of Slavery, and until lately, a third force or type distinct from each, but partaking more or less of the character of both, has come in as a bond of mediation and intercourse between the two, and holding both in check, has given vigour and balance to the social organization. But this third conservative power having coalesced with the more extreme Northern party, not as abolitionists, it may be, but acting with them as a common force or party against the South, the equilibrium is destroyed, and the necessity of separation has been unequivocally avowed by both parties in General Conference assembled. It is admitted as a general rule, as it regards State relations, that the North has ostensibly acted upon the principle and policy of concession toward the South respecting slavery; but this was originally for a bonus consideration—was matter of Federal contract, without which the South would not have confederated at all. Did the North concede to the South? So did the South to the North, which found its indemnity in Southern concession in relation to navigation and commerce, and the provisional right of direct taxation, in view of the National revenue. If it be said this latter right has rarely been asserted, still it does not affect the argument, for the North has had greatly more than its equivalent in other respects, especially in the preferred advantages of the tariff arrangements of the government and country, ever since the adoption of the constitution, so that the North has fully realized its own price for the concessions purchased by the South in regard to slavery, of which we are so often and sometimes not very graciously reminded.

When, therefore, it is recollected that every fraction of concession we have had from the North, is in redemption of a conventional pledge, the primary conditions of which have been realized to the letter, by the North, the obligations of the South may appear the less oppressive, as the North refused all concession that did not tend, directly or indirectly, to promote Northern interest. In view of this compromise arrangement, the North and South are mutually bound to compliance with the stipulations specified, and unless the North pursue a course in relation to slavery, tending to damage Southern interest, the South is certainly bound, in honor and good faith, to do nothing in any way calculated to reduce the value of what was offered, as an equivalent for Northern concession in relation to Southern slavery. And as this matter is vitally connected with the more cardinal bearings of the present controversy, it may be proper to examine the subject a little more at length.

The abolition of slavery in Pennsylvania took place in 1780, and other portions of the North were strongly inclined, from various reasons, to a similar course. The abolition movements of England, about this time, in connection with the excitement and movement in Pennsylvania, and further North, operated as motives—as inducements, with the English Methodist Preachers, recently come to this country, to agitate the question in the infant societies they had raised, and of course controlled; and, accordingly, in the first year of Pennsylvania abolition, we have the *first rule on Slavery* among the Methodists in Europe or America, religious zeal being quickened by the political excitement and agitation of the times. A very dissimilar state of things existing at the time, in the South, from that in Pennsylvania and the North generally; the movement was resisted there, alike by Church and State, and hence the formation of parties in both, which have continued ever since.

Robinson on "Slavery and the Constitution," remarks, that "at the time of the Federal Convention, 1787, the experience of the States South of Pennsylvania, was such as

to produce distrust of their Northern brethren, as to the safety of their property in slaves." Rawle on the Constitution, referring to the same period, observes, "it was no easy task to reconcile the local interests and discordant prepossessions of the different sections of the United States, but the business was accomplished by acts of *concession* and mutual condescension." Mr. Madison says, "the Convention found difficulties not to be described. Mutual deference and *concession* were absolutely necessary. Had they been inflexibly tenacious of their individual opinions, they would never have concurred; it was difficult, extremely difficult, to agree to any general system. Without it, (concession as to slave property,) the Southern States never would have entered into the Union of America." Defending the compromise of the Constitution, Governor Randolph says, "the Southern States conceived their property (in slaves) to be secure by this arrangement." Patrick Henry, arguing the necessity of a constitutional guaranty to bind the North, states "a decided majority of the States—of Congress—is North—the slaves are South." Chief Justice Tighlman, of Pennsylvania, in a decision of the Supreme Court of that State, says, "whatever may be our private opinions on the subject of slavery, it is well known that our Southern brethren would not have consented to become parties to the Constitution, unless their property in slaves had been secured." Chancellor Kent, speaking of this constitutional arrangement, observes, "it was the result of necessity, and grew out of the fact of the existence of slavery in a portion of our country. The evil has been of too long standing, and is too extensive and too deep rooted to be speedily eradicated, or even to be discussed without great judgment and discretion." The Hon. H. Clay stated, in debate in the Senate of the United States, "the Constitution of the United States never could have been formed upon the principle of investing the General Government with authority to abolish the institution of slavery at pleasure. It never can be continued for a single day, if the exercise of such power be assumed or usurped." Speaking of the general subject of slavery, as sanctioned by the Federal Constitution, the American Quarterly Review says, "the slave holding States (alone) have the right, the power, and the capacity to apply the remedy."

The whole current of political and judicial opinion, in the entire history of the government, treats the subject as originally adjusted, and only susceptible of being managed by compromise. The Hon. D. Webster asks, "if we begin to disturb *the balance* of power, (on the subject of slavery,) where shall we stop?" Justice Shaw, of Massachusetts, says, "the Constitution of the United States partakes both of the nature of a treaty and of the form of a government. Before the adoption of the Constitution, the States were, to a certain extent, sovereign and independent, and were in a condition to settle the terms on which they would form a more perfect union. The constitution of the United States regards the States, to a certain extent, as sovereign and independent communities, with full powers to make their own laws and regulate their own policy, and fixes the terms upon which their intercourse with each other shall be conducted. Slavery is not contrary to the law of nations. The Constitution affords effectual security to the owners of slaves. The States have a plenary power to make all laws necessary for the regulation of slavery, and the rights of slave owners, while the slaves remain within their territorial limits." Every Northern man, every abolitionist even, wherever found, as a citizen of the United States, is a party in solemn and public treaty with every Southern man—every slaveholder—as the other party, not to disturb the right of property in this respect, nor in any way thwart the intended purposes of its constitutional guaranty; and by how far this may be done, by so far the obligations of good faith *and citizenship are not* only departed from, but violated. Justice Story says, "the slave

holding States insisted on a representation strictly according to numbers; the non-slaveholding States contended for a representation according to the number of free persons only. The controversy was full of excitement, and was maintained with so much obstinacy on each side, that the Convention was more than once on the eve of dissolution. At length the present system was adopted by way of compromise; it was a necessary concession to the spirit of conciliation on which the Union was founded. Viewed as a measure of compromise, it is entitled to great praise." And certainly those who fail to act upon it, (whether in or out of the Church,) are entitled to great blame. The Hon. Edward Everett says, "it was deemed a point of the highest policy, by the non-slaveholding States, notwithstanding the existence of slavery in their sister States, to enter with them into the present Union, on the basis of the constitutional compact. That no union could have been formed on any other basis, is a fact of historical notoriety, and it is asserted in terms by Gen. Hamilton, in the reported debates of the New York Convention for adopting the Constitution. This compact expressly recognizes the existence of slavery, and concedes to the States where it prevails, the most important rights and privileges connected with it. Every thing that tends to disturb these relations, is at war with its spirit, and whatever, by direct or necessary operation is calculated to excite an insurrection among slaves, has been held, by highly respectable legal authority, an offence against the peace of the Commonwealth, which may be prosecuted as a misdemeanor at common law. Our Fathers, the Adamses, the Hancocks, and other eminent patriots of the Revolution, although fresh from the battles of liberty, and approaching the question as essentially an open one, deemed it, nevertheless, expedient to enter into a Union with our brothers of the slaveholding States, on the principle of forbearance and toleration on this subject." Dr. Frost says, "it was a compromise of conflicting interests."

Chief Justice Parker, of Massachusetts, holds the following language with regard to the slave holding States: "They might have kept aloof from the Constitution. That instrument was a compromise. It was a compact by which all are bound. We then entered into an agreement that slaves should be considered as property. Slavery would still have continued if no Constitution had been made." Chief Justice Robertson, alluding to the adjustment of the slavery question in the Constitution of the United States, says, "it was the subject of a sacred compromise, which it would be neither safe nor just for either party, without the other's consent, ever to disturb." Alluding to the same subject, the Edinburgh Review observes, "American Statesmen labored, from the first, under two great difficulties, against which they have struggled on, by compromise and evasion—we mean the questions arising out of slavery, &c." Chief Justice Jay confirms the general opinion, "the Convention who formed and recommended the new Constitution, had an arduous task to perform, especially as local interests, and, in some measure, local prejudices were to be accommodated. Several of the States conceived that restraints on slavery might be too rapid, to consist with their particular circumstances, and the importance of union rendered it necessary that their wishes on that head should, in some degree, be gratified." How they were consulted, and what adjustment took place, we have seen. Alluding to this topic, the Rev. Mr. Freeman, of the North, remarks, of the compromise of the Constitution, "it concerns rights of property secured by the Federal compact, upon which our liberties mainly depend. It is a part of the collection of political rights, the least invasion of any one of which would, of course, impair the tenure by which every other is held. When the Federal compact was formed, the entire abolition of slavery was a favorite object with many, but they knew that this or the Union must be surrendered. They had no alternative but to leave it as they

found it existing in the South, or fail of the great desideratum of a Union of the States. The legal construction is, that the South, who hold slaves, retain the right of exclusive regulation over them; which right the United States cannot touch." He adds, "any measures, on our part, of a coercive nature, or calculated to disturb the domestic arrangements of the South, would be a violation of our political contract, and of good faith. Whatever we do, should be so done as not to put in jeopardy the peace of the slave holding States. It is not enough to say that the Constitution is violated by any action endangering the slave holding portion of our country—a higher law than the Constitution forbids this unholy interference." A judicious observer remarks, of the gradual abolition of slavery in the United States, "in undertaking a work of this magnitude, compromises will be found as necessary as they were in forming the Federal compact." An influential English Journal has recently attempted to prove, at length, that the "only barrier to general emancipation, in the United States, is the Federal Union, which defies alike humanity and reform." Testimonies to this effect might be multiplied indefinitely, but it cannot be necessary.

Such, then, is the true position of the North on this question, nor can they separate their moral from their civil relations, as parties to the Constitution: they are all, by deliberate consent, connected with slavery, and if they get rid of it, without the consent of the Southern States, unless these shall violate the national compact, they get rid of truth, honor, and good character, at the same time. It is, too, a well understood principle of law and morality, in the construction of compromises, that the *temper* of the parties which led to compromise, remains one of its conditions; and either party offending, in this respect, violates an important obligation contracted in becoming a party. Let this be applied to the slavery question, and its application will be seen at once. Legislative contracts are common in all governments, having the force, sometimes, of treaty, and sometimes of compromise, and often both. That this is the character of the national compact, binding every citizen, church members as well as others, it would be worse than stupid to deny. That the result of all legislation in the Methodist Church, has been a standing *law of forbearance*, conformably to civil obligation, has been shown with equal clearness, thus showing that the compromise of the Protest has been the *household law* of the Church ever since the subsidence of the first abolition excitement, under the early English Preachers. Abstract law, involving compromise, can only be carried into effect by acts of kindness, and the ministry of the affections, without which it is a lifeless text, unexplained by living example, and must fail to accomplish the purposes of its enactment. This view of the subject applies equally to North and South, and should be well considered by both.

It has been repeatedly decided, and is a commonly received truth, both in common law and equity jurisprudence, that a simple decree, in form of law, may be proved a treaty compact or compromise, by showing the original relative position of the parties interested, and the obvious indications of purpose and intention as inferable from the external circumstances, leading to the action assumed and admitted. Law, viewed in the light of reason, purpose, motive, should always be explained by the context; that is, the circumstances giving it birth. This is what the Protest meant by the reasons of law, instead of the strange misconceptions of the Reply. In abatement of the force of this reasoning, it has been urged, with some show of plausibility, that, mixed up with the compromises of the Constitution, was the conventional understanding, that the South should address itself to the work of emancipation, after 1808, as it had not done before. In reply to this, three facts are especially worthy of notice. 1st, A permanent provision of the Constitution contemplates and authorizes a different result, 2d,

What is assumed, was long and tenaciously exacted as a condition of Union, and peremptorily refused by the South, whether in whole or in part—the South refusing to confederate, unless the control of the difficulty should be left to the States directly involved in it, without the right of other States to interfere in any way. But, 3d, It is well known that a large portion of the South were favorable to gradual emancipation, provided any disposition could be made of the free black population, consistent with the welfare of the States giving them freedom. It was early ascertained, however, that both the old and the new free States were inexorably resolved to exclude the free black population, as far as possible, from their limits, and throw the whole burden upon the South, although the slave trade of the North had been the principal means of filling the South with slavery; and this state of things imposed upon the South the necessity, and gave them the right, of managing this most difficult question in the best way they could, in view of the common welfare of all concerned.

On this subject, Mr. Webster remarks, "In my opinion the domestic slavery of the Southern States is a subject within the exclusive control of the States themselves, and this, I am sure, is the opinion of the North. Congress has no authority to interfere in the emancipation of slaves, or in the treatment of them, in any of the States. This was so resolved by the House of Representatives, when Congress sat in New York, in 1790, on the report of a committee consisting almost entirely of Northern members, and I do not know an instance of the expression of a different opinion, in either house of Congress, since. The servitude of so great a portion of the population of the South is undoubtedly regarded at the North as a great evil, political and moral, but it is regarded, nevertheless, as an evil, the remedy of which lies with those Legislatures, (Southern,) to be provided and applied according to their own sense of policy and duty." General Washington, in urging the adoption of the Federal Constitution, in view of a Union of the States, says, in language which should never be forgotten, "I do most solemnly believe that *this* or *dissolution* awaits us, and is the *only* alternative." Let this language of Washington be borne in mind, in connection with the fact, that the *reasons* and *necessity* which influenced the judgment of Washington, in 1787, have been *increasing in number and weight* ever since. Must not every person of ordinary discernment perceive that compromise is the great conservative principle of both the political and the social system in the United States, and so far as the Church or ecclesiastical legislation shall fail to conform to this principle of Union, the Church must be arrayed against the State, and hostile to its most vital interest, so far as these may be dependant upon such Union. The subject of slavery being, as all must admit, compromised in the Constitution of the United States, and all citizens of all the States, free and slave, being parties to the compromise, *all* law, and of course *any possible form* of ecclesiastical law, not in harmony with this arrangement, must infringe the guaranty of the great national compact. If it be said the Church is a voluntary association, with fixed conditions of membership, it does not affect the reasoning, for every such compact necessarily subject to the higher, is, in *itself unlawful*, unless in conformity with the greater over-riding it, and to which every citizen of the United States is a party. It is not intended to denounce the motives or conduct of those who may be opposed to the Constitution, in this respect, provided they do not resist its control, or seek to change it by improper means. But it is intended to say, that those who act so as to do the one or the other, cannot be regarded as good citizens. It is meant to say, that any attempt, by the Church, or ecclesiastical authority, to contravene civil law or invalidate civil rights, is not only without warrant from the Bible, but pours contempt upon the word of God, and the admitted obligations of the christian profession. Slavery in the

Southern States, viewed as limited confederating sovereignties, is local and provincial; but as it regards the Union of the States, it is Federal and National, by contract of the Constitution itself; and every essay, individual or social, by Church or State, to unsettle the compromise of that instrument, reduces the value, and endangers the perpetuity of the Union. And that large portions of the Methodist Episcopal Church are beginning to act no unconspicuous part in this respect, (however unintentionally,) is a prevalent opinion in the South, and when it is disavowed, let the *grounds of this opinion* be set aside by satisfactory evidence; and until this is done, all denial will be mere declamation.

Unless the national pledge of the Constitution, binding every citizen of the confederacy, is violated by the North, there is no likelihood of disturbance, or revolt by the slaves and free negroes of the South. If disturbance and revolt should take place, it will be upon direct or virtual invitation from the North; and that the North may have no reason or pretext for such a course, it greatly, imperatively, behooves the South not to withhold from the North, any consideration, claim, or indemnity, authorized by the compromise of the Constitution. I would invoke the South to cherish its honor and consult the interests of the whole Union in this respect. That general emancipation, if pressed upon us by the North, would lead to revolt and conflict, admits of no doubt. In the proportion, therefore, that individuals, political parties, or churches, shall lend themselves to a course of action calculated to bring about such a result, and the consequent disunion of these States, by aggression upon Southern rights, in the same proportion will history hold them accountable for the treason. It is a grave suggestion, and we ask that it may be gravely considered. If the North cannot proceed much further, without danger to the South, and the Methodist Episcopal Church, North, shall continue to encourage aggression, after the fashion of the late General Conference proceedings, and prior Methodist movements in the North, what must be considered the true attitude of the Church, with regard to her pledge in the Constitution of the United States, to say nothing of her own abused legislation on the subject? Who will fail to perceive, that, in retreating from the evil, by a peaceful separation of jurisdiction, the South are seeking to prevent an issue to which the North are pushing us with unrelenting purpose? We ask not the North to approve slavery. We do not ask them to cease warring against it, so far as such war may be protected by right. But we do ask the North to respect justice and good faith, in connection with the original compact, and subsequent compromises, binding the North and the South together as one great people. The fact will obtrude itself, as we proceed, upon the common sense of every reader, that the same specific reasons, calling for a compromise adjustment in our political, require it in our ecclesiastical relations, North and South; and the numerous proofs of this Review, drawn from a great variety of unrelated sources, will show that the result has been the same with regard to both. Accordingly, in the Methodist Episcopal Church, while the existing law, from time to time disapproved the system of slavery, it distinctly offered the *overture*, that, under specified circumstances, slave holding should not be urged in bar to any of the rights and privileges of the membership or ministry, and hence the compromise, so stoutly denied by the Reply. From the suggestive character of much of the reasoning we have introduced, the discerning reader will have perceived that the compromise argument of the Protest may be viewed with advantage to its evidence, in other points of light. Even the *common law of society*, regulating *social intercourse* between the North and the South, since the abolition of slavery in the former, has been one of compromise, without which, such intercourse must have been as unpleasant as limited and inconvenient. And how handsomely and generously this law has been acted upon, by the Storeys, the Websters, and the Everetts,

and intelligent thousands in the North, (upon whom, and their like in the South, depend the hopes of the country,) none need be told. It is *Religious Fanatics* and *Political Demagogues*, whose vandal abuse of the law of comity, between the North and the South, is working the ruin of our Constitutional Union. But again: all law is a contract, and *equivalence* of consideration is presumed to be the motive determining the parties, necessarily existing under every government, to consent and submission. Disturb, then, one of the contracting parties in the possession and use of the equivalent, always implied, so that expected advantage is not realized, and the result is a violation of contract, and an impairment of right.

Let this principle be applied, in the case of the Southern Methodist slave holder, say Harding or Bishop Andrew, with the legislation and assurances of the Church full in view, and can the conclusion be resisted, that the Church is disposed to meddle with rights and principles, guarantied by the stipulations of law, contrary to public assurances given by the Church? Justice Story says, "any law which *enlarges*, *abridges*, or in any manner *changes* the *intention* of the *parties*, (in contracts, whether of law or otherwise,) resulting, (by fair inference,) from the stipulations in the contract, necessarily *impairs* it." He adds: "a grant made by a State to a private individual, (and of course by a Church to a minister or member,) and accepted by him, is a *contract*, and cannot be revoked by any future law." So also, "a charter granted by the State to a company, is a contract, and equally binding to the State as to the grantee." Take now the "law," the "grant," the "charter," of the Methodist Episcopal Church, pledging that under circumstances specified, her Southern ministers and members, shall not be disturbed by the Church with regard to the slaves they may *so* hold, and compare it with the action and avowed policy of the Majority in this contest, and what is the inference? Apply the above well known principle of law and equity, to the contract character of the legislation of the Church on slavery, which is a *property* as well as a *moral* question, and will it not be seen, that the Protest on this subject, is but too full of truth and reason? We introduce, on this subject, for the purpose of proof and illustration, numerous analagous principles, facts, and cases, not merely to prove the doctrine of the Protest, but also to show, with what claim to candor and acquaintance with the subject, the Reply opposes to it the most confident denial, and treats the whole topic, as scarcely worthy even the sneer of superior information, with which it is dismissed. Having alluded to the *property* aspect of the question, it is not unworthy of notice here, that it would seem to have been the purpose of the Church, to give it *secular* and *civil*, rather than the high *moral* rank claimed for it, by the late General Conference, inasmuch as the section on slavery, in the Discipline, is excluded from the moral part of it, *where it was once found*, and comes in under the head of "Temporal Economy of the Methodist Episcopal Church," ostensibly at least, treating the subject as one involving *the legal relations of property*, and therefore not within the jurisdiction of ecclesiastical law. But that the Church has claimed, and continues to claim, the authority to interfere with the civil rights of her ministers, as it regards slave property, it is useless to deny, and the difficulty and delicacy of such claim, must always connect with the fact, that by special compact and deliberate compromise, in the Federal Constitution, such rights are placed beyond the reach of any kind of infringement, without an invasion of constitutional right. No other species of property in the nation, is in the same category. By this time perhaps, the reader will be pretty well prepared to decide upon the force of one of the principal positions of the Reply, that the warranted protection of the rights of slave holders, by the constitution and laws of the United States, and the States respectively where slavery exists, can be no ground of argument in this discussion. It

may be seen that while in some States the citizen is not, in others, as in Georgia, he is "required" to hold slaves—that instead of simply "allowing" a citizen to do so, whenever he becomes the owner of slaves, they throw about him legal *constraint* and *immunity*, at the same time.

Legislation upon the principle of mutual accommodation, has always been regarded as a legal compromise. The Reply admits a struggle in the Church for sixty years. No struggle of course, could exist without parties, and finally the parties meeting on ground, not the first choice of either, the result is compromise. Unable to see by means of the same optics, on the subject of slavery, how was it possible for the North and South to unite and co-operate, except on the ground of compromise? The very showing of the Reply, furnishes the premises from which, in part at least, the conclusion of the Protest is drawn. A slight examination of the Protest will show, that it was not intended to speak of any special statute or enactment, but of the purpose and spirit of general law, declared by special acts at different times, and adjudications had upon them as giving the character of a compromise to our legislation. All these, with their various relations, reasons and bearings, are brought in, in aggregation, and compromise is assumed as the result. In charging upon the Majority want of good faith, in disregarding this compromise, it is plain the Protest intended, and we still think most justly, to represent the law as a *declaration of trust*, the object of the trust created, being *the protection of character and right, under well defined circumstances.* But the Majority proceeded to *withdraw the protection* and *destroy the relief afforded by law*, and *instead of the protection and relief* pledged by law, actually *inflict the wrong* it was the purpose of the law to prevent. On the final legislation of the Church respecting slavery, Dr. Bangs says, "various enactments had been passed from one General Conference to another, with a view to *regulate the practice of slavery* in the Methodist Episcopal Church—an evil this, which it seemed impossible to *control*, much less to *eradicate* from the ranks of our Israel. From the organization of the Church in 1784, slavery had been pronounced an evil, and a variety of *expedients* had been resorted to for the purpose of lessening its deleterious tendencies, where it seemed unavoidably to exist. Finding, however, that the evil was *beyond the control of ecclesiastical law*, as to its eradication from the Church—the General Conference so modified the section in the Discipline on slavery, as to read"—as it now does. This is the faithful language of history, and gives a clear idea of the compromise action of the Church, in the management of this most impracticable difficulty. "Such may, through the force of circumstances, become the state of society, that great moral evils may be tolerated, where the conviction is clear, that acts of prohibition would produce evils far more extensive and far more to be deprecated. So damaged, or disordered, or complicate, by the practice or misfortunes of a former age, may become the very texture of society, and so peculiar the relations, which as a people we sustain to each other, that an immediate and entire correction of the evil, may be impracticable; and that, therefore, neither individuals nor society, are bound to attempt it."—*Plea for Africa.* "We do indeed tenderly sympathize with those portions of our Church and country, where the evil of slavery has been entailed upon them, where a great and the most virtuous part of the community, abhor slavery and wish its extermination, as sincerely as any others; but where the number of slaves, their ignorance and vicious habits generally, render an immediate and universal emancipation inconsistent alike with the safety and happiness of the master and slave."—*General Assembly Presbyterian Church.* The remedial compromise course recommended in these extracts, involves the principle intended to be protected by the law

of exception, as distinguished from that of the general rule, in section 10th of the Discipline.

The argument of the Reply, is without any semblance of pertinence or force, in all those cases coming under the provisional exception of the Discipline, that is, where emancipation is impracticable, without an evasion or violation of law, and these were the very cases to which the Reply was confined, by the premises of the argument. The laws of nearly all the Southern States, *forbid* emancipation; it is the *civil duty of the citizen not to attempt it*; and in many of the States, as in Georgia, severe penalties accompany the prohibition. Is this true of the absurd and offensive examples urged by the Majority as analagous? Does Southern law forbid the voluntary discontinuance of the theatre, the grog-shop, the card table, or race course? If not, what becomes of the sophistry by which it is gravely attempted to overthrow the reasoning of the Protest? Although the slave is not a citizen proper, yet the common denunciation that he is a mere chattel, &c., betrays alarming ignorance or want of candor. He is directly recognized as an *inhabitant*, and is represented as such in the National Legislature. He is an *inhabitant in charge*, under the *guardianship* of a citizen proper, and this civil relation is created and protected by the supreme and municipal law of this country. Both create an essential difference between property in slaves, and all other kinds of property, and hence the absurdity as well as injustice of the position above. Was it competent for a free and sovereign people, in organizing a government for themselves, to decide that they would have among them, by allowing them to remain, a class of human beings, introduced into the country without their agency, by subjecting them to the kind of *inhabitancy* just described? If yea, then what right has a Church to meddle with such civil arrangement? Is the right derived from their own *civil* relations? We have seen, that any original right they may have had, has been surrendered by contract. And what is their religious right? Before any can be established, they must first prove a right to resist civil authority, and also a right, secondly, to abolish the relation in question. If *nay*, be the answer—then the Church is in conflict with the government, and government, rather than the civil relation established by it, becomes the proper object of attack, and all interference with the subject is beginning to assume its legitimate character of opposition to government and civil authority. Great declamatory stress is laid upon the inconsistency of slavery, with the freedom and equality assumed in behalf of all men, in the Declaration of National Independence, and the high character and insulted shades of the signers of that instrument, are invoked in argument and declamation, against the allowableness of slavery as an element of the political organization. This Declaration was the noble deed of a noble band of patriots, and was considered as binding the nation, because the act of their representatives. It should not be forgotten however, that the same and kindred conscript fathers, were the authors of the Articles of Confederation and the Constitution of the United States, in both which, they acted upon the declared principle, that the people of the confederating States, could never become one nation, without a compromise, fixed and conclusive in its terms, on the subject of slavery, and the *whole people*, North as well as South, *ratified an arrangement to this effect*. Why such frequent and flippant appeals to the Declaration, never intended as a rule of action, to the utter disparagement of the Constitution, ordained as *the great rule of action with all concerned?* The Declaration commits the people to general principles only, the Constitution binds them to a given course of conduct. It is their own act, not that of their representatives merely. It is the covenant oath and witness of their national existence, honor, and safety; and the man who can violate this covenant stipulation, as elsewhere explained, under cover of

Church relationship, creed, conscience, or party organization, is an unworthy and dangerous citizen of the United States. And every Church attempting to control the question of slavery, upon any other than the compromise principle guarantied, *jure solemni*, by the whole people of the United States, is guilty of an attempt to unsettle a principle, upon the adjustment of which, the original fact of confederation turned exclusively; and such Church so acting, must prove dangerous to the union of the United States. The true doctrine of the Methodist Episcopal Church, as avowed and published up to the last General Conference, has been, that tolerating slavery, in the membership, she has required her ministers, in view of orders, to free themselves from slavery, if connected with it, where it could be done consistently with the laws, and the welfare of the liberated slave. Beyond this the Church has not gone. We have shown this to be, in substance, the opinion of the Bishops and of the General Conferences of 1836 and 1840, in their official addresses. Evidence to the same effect, has been brought to bear from a great variety of sources, all tending to present the legislation of the Church on the subject of slavery, in its true and proper light, as based upon the principles of conventional compromise in conformity with the civil compact between the North and the South. We have seen at every step, that there has been real and *bona fide* compromise, although nominal baptism to this effect, may have been wanting. We regard, too, the legislation of the Church, as we have exhibited it, not only as rational and safe, but as much more accordant with the Scriptures, than the plans and projects to which it stands opposed. If we survey the entire aspect, in which the whole subject is presented in the Scriptures of the Old and New Testaments; if we turn to the fathers of the first four centuries of the christian era, as likely to reflect in their writings, the decisions of Inspiration in the case; if we take the occasional notices of profane history on the subject; it will be seen, that while the moral code of Judaism and the genius of christianity may stand opposed to slavery, as one of the many forms of civil oppression, and inconsistent with our conceptions of natural right, and the promised regeneration of human society, there is, nevertheless, in all these records, a distinct recognition of the jural origin of slavery, and its necessary connection with civil polity, and we no where, in any of them, meet with the language of denunciation and overthrow, with regard to it. There is no attempt to alter or disturb the relation, but simply to prescribe and inculcate the duties arising out of it, and revealing the retributions consequent upon any and every abuse of it. Indeed the whole subject as discussed by christianity and managed by the primitive Church, is presented as one, not to be *controlled* or *disposed of* by either, except in due subordination to the civil authority, and the regulations of law, in which it has its origin. And in this great primary fact, we see, in principle, the true prototype of the conflict of laws, and consequent compromise treatment of the question, about which we have had occasion to say so much. Contrast this with any true picture of modern abolition and anti-slavery, and in what do they agree? Heaven and Hell are scarcely less resembling. The one is a quiet garden scene, the other a stormy Pontus, "casting up mire and dirt." In connection with the general argument of the preceding pages, it is important to call attention again to the judgment of the General Conference of 1840. At this Conference two large committees were appointed on slavery and abolition, one the usual standing committee, consisting of a member from each Annual Conference, the other a special committee of nine members of the body, upon the well understood controversy, known as the "Westmoreland case." In addition to the matters referred to this latter committee, by resolution of the Conference, the committee were respectfully requested, by all the *Bishops in council*, when it was ascertained that the general committee did not intend to do so, to pre-

sent *a full and analytical view of the whole law of the Church on slavery*, particularly in relation to the rights of the different grades of the ministry, as affected by slave holding, so that all discordant views and discrepancies in administration might, if possible, be conclusively adjusted and settled, by authority of the General Conference, and the committee had this specific object in view, in making the elaborate report from which we have already made several extracts. The report was adopted with great unanimity, in fact without a negative voice in the body. This report was looked to as settling the difficulties it was intended to remove, and was fully relied upon by the South, as securing all they desired in the premises. The decision of the General Conference, to which we ask attention, is too precise and unmistakable in language and meaning, to admit of misconstruction, without an intention to deceive. "While the *general* rule (law,) on the subject of slavery, relating to those States, whose laws admit of emancipation, and permit the liberated slave to enjoy freedom, should be firmly and constantly enforced, the *exception* to the general rule, (law,) applying to those States where emancipation, as defined above, is not practicable, should be *recognized and protected*, with equal *firmness and impartiality*." "*Therefore*,

"*Resolved by the several Annual Conferences in General Conference assembled, That under the* PROVISIONAL EXCEPTION *of the general rule (law,) of the Church, on the subject of slavery, the simple holding of slaves, or mere ownership of slave property, in States or Territories where the laws do not admit of emancipation, and permit the liberated slave to enjoy freedom, constitutes* NO LEGAL BARRIER *to the election or ordination of ministers, to the* VARIOUS GRADES OF OFFICE, *known in the ministry of the Methodist Episcopal Church, and cannot, therefore, be considered as operating* ANY FORFEITURE *of right, in view of such election and ordination.*" Here is a solemn declaration, to the Church and the world, explanatory of an existing law, by the supreme judicial authority of the Church, gravely announcing, that simple slave holding or ownership of slaves, in States and Territories where emancipation is not practicable, and the liberated slave not allowed to enjoy freedom, is not, in any way, a legal barrier to election and ordination, and cannot operate any forfeiture of right, on the part of *any minister* of *any grade*, (Deacon, Elder or Bishop,) in the Methodist Episcopal Church. And yet Drs. Durbin, Peck, and Elliott, as solemnly declare, that the Church has always let it be known that slave holding, even under the provisional exception of the law, would, in the case of Bishops, operate the forfeiture of right, which the General Conference stipulates, by formal decision, *shall not take place*, in the instance of *any* grade of ministers. And accordingly, without any change of the law, and in the very face of the above declaration of right, the last General Conference did, directly and outrightly, and under the precise circumstances specified, as rendering such action impossible, what the publicly pledged faith of the Church had said, four years before, should not be done. Whether this amounts to the want of good faith, assumed in the Protest, let the good sense and upright feeling of the Church and world determine.

Let us now turn to the back ground of the picture.

It is more than two hundred years since the introduction of slavery into this country, under the exclusive direction of the British government. The colonies had no will or agency in bringing about this result, and it is a well known fact, that it was in contravention of their wishes. During this entire term, slaves have been recognized and held as property, under all the forms of government known to the country, and the *Church* should not forget, that it was the *christian* governments of Europe, in the 16th and 17th centuries, by which slavery, as a civil and domestic institution, was re-introduced and re-established among civilized nations, after its nominal abolition among the Ro-

tact with society they are repulsed and put down. Their very color renders them alien to all about them—to every other race. They have no country, and unprepared by their previous destiny to obey the voice and submit to the dictates of law and reason, few of them act as though they had any property in themselves. Thousands of them perish annually for want of the protection and supply realized in a state of slavery. After an experiment of fifty years in the North, no elevation of the negro character, no improvement of their condition has taken place. As slavery recedes the prejudice against the negro increases. All the non-slave holding States, and especially those where slavery has never existed, are intolerant even of the presence of the negro. Look at the impartial humanity of Ohio and other *free* States, whose laws exclude not only the slave but the "free and equal" negro, and deny him not merely the right of holding property but even of residence. It is unlawful for any citizen of Ohio to employ a negro (*free* of course,) to do a day's work to keep him from starving, unless he shall have first given security, both for maintainance and good behavior. The whole movement of the North—the entire policy of the free States, has been a system of death to the negro.

In their miserable freedom, so called, they have died at the rate of two to one, in a state of slavery. Interest or humanity may abolish abstract slavery, but the interposition of omnipotence seems necessary to relieve the negro from the weight of disabilities beneath which he is crushed. The declaration of his freedom is a fraud in every State of this Union. Both prejudice and law proclaim it impossible, in the existing state of things. The ordinary eligibilities of citizenship are no where his. The white man and the negro may not separate, as to the "bounds of habitation," but they do not, cannot combine. They may be together, but to mingle is impossible. The distinction, for example, as it relates to color alone, appears so founded in an invincible law of nature, that in no instance, in the history of civilization, has it yielded to the influence of circumstances. This may be all and utterly wrong; our business is with the fact only. Kindred reasons and arguments may be multiplied indefinitely. Disproportionate, inadequate compensation for labor, is assumed as a fundamental element—one of the chief disadvantages of slavery, and it is an argument principally relied upon by abolitionists, of every sect and color, and yet it is susceptible of the clearest demonstration, that the slave of the South, (in an annual estimate,) gets more than the free negro of the North; and, by the showing of the Northern argument, is less a slave. Every victim of injustice is a slave, and such is the negro every where in the North. Crushed by the indirect tyranny of law, and the intolerance of public opinion, he is the miserable victim of all kinds of injustice and hardship. And what must be the sober decision of history with regard to those who pity the negro until he becomes free, and then starve him to death? The mooted question of negro rights and worth, and his title to Northern sympathy and protection, are dropped the moment the negro becomes free, and appeals to the Northern *court of errors* for the promised boon of equal, social and political rights. Notwithstanding all the paraded humanity of the North on the subject, *no actual abolition of slavery has ever taken place in the United States.* The proclamation to this effect is an *imposition* upon the civilized world. The servitude of the negro, and the injustice and hardship of his lot have merely *changed* their form. The legal principle of slavery is abolished in the North, but all New England, New York, Pennsylvania, Ohio, &c., do not contain a single negro who is free, in the sense of the Declaration of American Independence—not one. No where does the negro meet the white man—no where is he met by him upon terms of equality. There is no civil, social, domestic, or even *religious* intercommunity of enjoyment or suffering. They are deprived of the most

important rights of mankind. Both by law and public opinion they are condemned to hereditary degradation and misery. Their liberty is a lie and a cheat. In what do they find themselves free, except to be neglected. scorned, and trodden under foot. Prejudice, manners and custom, turn aside and bear down the fruitless provisions of legislation. There is that constituently interwoven with the popular feeling of the American people, in relation to the unfortunate negro, which law can never efface. It is even true, that the prejudice against the negro increases with the progress of emancipation. Take any of the Northern States—that which nearest approaches the Utopia of modern abolitionism, and notwithstanding the affranchisement of the negro in law, if a white person marry a negro, *infamy* is the result. Free negroes, with very few exceptions as to places, dare not avail themselves of the right of suffrage, even where it is allowed. They are no where credible witnesses against white persons—(the attempt of the late General Conference to make them such, notwithstanding.) There is not a State in this Union where a negro is essentially an equal party in an action at law. Where is the negro admitted as equal peer and compatriot with the white man? Where as juror, judge, or counsellor? Is there any office of trust or honor to which he is eligible? What school receives the two races together, without being placed under public ban? Can the negro's money procure him a seat at the Theatre or Opera, without some signal of his inferiority offered in atonement to those who wish it to be understood they but tolerate his presence, albeit they have *sworn him free and equal?* What hospital or poor house receives him, except *apart* from the privileged white sufferer, without, it may be, half the sense or virtue of the negro? Even the Church assigns him a distant seat and different altar. The grave itself perpetuates the distinction, by disowning the fellowship of his dust. In life and death alike, he is proscribed and trodden under foot as an alien and outcast, and his degradation is thus made to accompany him to the very gates of Heaven. And all this is true to a much greater extent in the North than in the South. The free negro North is used—allowed to live, *if he can*, and at any rate is at perfect *liberty to die*, but no where is he protected, encouraged, and rewarded, in all the liberty-loving North. Paradoxical as it may seem, there is nothing resembling sympathy and equality of moral relation between the races, except in the South, where the one, in the proportion of seven in ten, is enslaved to the other. Here, to a great extent, the children of the two races grow up together, and, as a general rule, cherish for each other, in greater or less degree, interest and attachment. Similar reasoning applies to the household circle, as it regards adults. There is a natural sense of obligation and kindness, on the one hand, and of dependence and gratitude on the other, leading to many of the kinder offices of human intercourse, without which the heart must be utterly desolate. I do not claim for the South that this view of the subject applies to all slave holding individuals and familes. There are but too many exceptions to the rule, and I shall not attempt to protect them from the execration they deserve, for neglect and cruelty in relation to their abused and suffering slaves. Nor do I intend to charge upon the North, or free States, that there are no individuals or families who treat the negro as he deserves. I speak only of the general rule, in both cases, and am anxious to give *full force to the exceptions*, both as it regards number and weight. Individuals and families in the South have, doubtless, acted infamously toward their slaves, and continue to do so, as individuals and families in the North have, and continue to act, towards their hired and apprenticed servants, and formerly toward their slaves also. Most cheerfully do we bear testimony, that individuals and associations in the North have, in many instances, acted nobly toward the negro, *whether free or slave.* What we ask, is, that the exceptions, in both cases, *may be fairly contrasted with* the general rule.

The abolition of slavery has been extensively agitated, three several times in the United States. The first was about the time of the formation of the Federal Government. Shortly after the adoption of the Constitution, numerous abolition petitions reached Congress, under the administration of Washington, praying the interposition of the General Government. They were respectfully received and referred to an able committee, as all such petitions should be, and the report of the committee was, that the General Government had nothing to do with the subject—no right to interfere in any way, as the matter belonged wholly to the slave holding States, without any right, on the part of individuals, societies, churches, or the free States, even, to meddle with it. And so the matter was disposed of, apparently to the satisfaction of all concerned, and the excitement died away.

The next abolition era, connects with the admission of Missouri, thirty years after, when the compromise to which we have alluded took place, and again settled the question. The third movement followed that of England, in relation to West India Slavery, and has continued ever since, although the movements—the emancipation proposed here, and that which took place in the West Indies—are utterly unanalagous. Here, the negroes are in the midst of us, locally mixed up with a great people, being to the white population as one in three. There, they were scattered among a cluster of distant islands, and were twenty to one as to number, rendering an expensive military force indispensable to safety, in each island. Had four millions of negro slaves been mixed up with the people of England, Ireland, Scotland and Wales, does any sane person suppose they would have been emancipated by the English Parliament? Or rather, is it not certain they would not have been, unless their instant removal had been provided for? It is an instance, therefore, of the most stupid injustice, to attempt to reason by analogy from the one to the other. Long before any appeal was heard from the North, the voice of the South was emphatic in the denunciation of negro slavery. The colonies of Virginia and Georgia, and even South Carolina, boldly remonstrated against the impolicy and inhumanity of the slave trade, and its consequences, when they knew their *Sovereign* was a smuggling slave merchant, dividing the spoil with a large number of his own subjects, and those of other nations. The South too, has always shown itself more ready than the North, to get rid of the negro by *removal* and *colonization* in Africa, or elsewhere, if it be found practicable. The great mass of Southern slave holders resist general emancipation, not because it is inconsistent with their interest, viewed as a question of political economy, but because they know it to be utterly incompatible with their safety. Upon the consequences of the immediate, indiscriminate emancipation of the slaves of the South, or emancipation by any other than very gradual methods, I am not disposed to dwell. All sober minded men, however, indulge the apprehension, that were the slaves thus let loose, they might be led to think and feel like the negroes of St. Domingo, butchering the whole European population, in gratitude for the decree of the French Assembly of 1791, declaring them "free and equal" to the whites. Who does not know, that every rash movement of the North endangers the safety of the South, and compels further resort to precautionary measures of safety, thus subjecting the slave to an abridgement of right and enjoyment which had never been thought of but for the gratuitious obtrusion of Northern interference.

It is already perceptible, that in the West Indies, unless other systems of servitude the *new types of slavery* already introduced, should check the tendencies of the emancipation act, imposed upon the Islands against their consent, the European race, yielding to the negro, is likely to become extinct. And should the North impose a similar *emancipation* upon the South, in violation of the compromise of the Constitution

among the immediate and necessary effects, sooner or later, the breaking up of the American Confederation, and the destruction of the negro race in the South must be numbered. Look at the Maroons of Jamaica: ever since their freedom they have utterly abandoned themselves to universal idleness, with all its attendant evils and vices, obdurately refusing to labor, under any circumstances, even to prevent starvation. The bloody insurrections too, in the Island of Barbadoes, in 1816, taking into the account, causes and consequences, is a comment to the same general effect. Improvidence and idleness, vagrancy and crime, are the notorious fruits of emancipation in the United States and the West Indies. Crime, in the United States, among free negroes, is in something like tenfold proportion, compared with what it is among Southern slaves, and the mortality is *more than double*. Our criminal and medical statistics abundantly attest these facts. A pretty extensive acquaintance with more than half the States of this Confederacy, and about an equal number, North and South, has led me to believe that the slaves of the South are better conditioned and better satisfied than the free negroes of the North; and, as a general rule, are better informed, especially on the subject of their moral relations. And, also, that they are well disposed, and inclined to virtue and morality, greatly beyond those of the North, or the free negroes of the South. The latter too, do much better in the South than in the North. Two reasons have long operated accordingly, in driving free negroes from the North, where they properly belonged, to the South. First, the repulsive inhumanity of the North, in so treating them, that they have preferred seeking shelter in the Southern States. And, secondly, the fact, that even the free negroes, so injurious to the Southern slave interest, have generally fared better in the South than in the North; and thus a large proportion of the freed slaves of the North, especially from 1790 to 1830, subsisted, in fact, on Southern charity.

About three millions and a half of slaves are now part and parcel of the population of the United States. They are here in our midst, and must be governed, and must have support. They were originally entailed upon us, against our will and wishes, by the mother country, during our colonial existence; but being here, they must remain and be controlled, unless some plan can be adopted for their removal. Remaining, how can they be governed, except in a state of slavery? Every State in the Union is disposed to cast off the few who are free. Every where their presence is regarded as an evil, if not nuisance. The South will not emancipate except upon condition of removal. The North will not consent to receive even a fair proportion of them, should they become free; and what is to be done with them? Their gradual emancipation and removal has never been objected to by the South; and carried out upon the principles of the original compromise of the Constitution, never will be. We say to our common country, *free us of the danger, and we consent to the removal of the evil.*

In this view of the subject, three questions press upon us:—our own good, in the slave States; the good of the negro, free and slave; and the common good of the country. In our deliberate judgment, those who are conducting the Northern crusade against Southern slavery, have no eye to either, or having any such end in view, have been infinitely unfortunate in the selection of means, and the temper displayed in the use of them. If the clamorous censors of Southern policy are the true friends of the negro, why do they, in the same breath urge emancipation in the South and legislate to exclude the negro from the free States? Is it merely intended in this way to annoy the South by a violation of the plain duties of citizenship, or are they willing to be understood as conceding that there is no chance for the negro except in the South?

In any analysis of the facts of history and experience, connected with the general abolition movement under discussion, we are naturally led to judge of the principles and motives of those embarked in the movement, from their moral and religious character and course of action *in other directions and aspects.* And as citizens and subjects of Great Britain have been very actively concerned for the last twelve or fifteen years in getting up and carrying on the great anti-slavery and abolition excitement in the Northern States. it will be proper to devote some attention to the moral character of the movement in both countries. In doing so, however, it is not intended, in speaking of Great Britain, or the Northern States, to include all persons, or the entire people of either. But as the more moderate and conservative portions of the people, in the one and the other, have not seen proper publicly to separate from the movement parties in question, by formal disapproval and condemnation of their course, it cannot be expected that we should do more, by way of excepting them, than they have done themselves. That the movement in this country was set on foot by foreign (British) influence, has been so extensively avowed by the Church, that no proof of the fact can be called for. It has been assumed in Episcopal and General Conference addresses. It has been distinctly avowed, again and again, in the official papers of the Church at New York and Cincinnati. It is elaborately declared to be the fact, by Dr. Bangs, in his History of the Church. It was repeatedly avowed by American speakers, in the famous meeting of malcontents and agitators on this subject, ever since praying to be known as "the World's Convention." The fact is notorious, and will not be denied. As the United States preceded England in the abolition of the slave trade, and was the first of civilized nations in an attempt to redress the wrongs of Africa, admitting the equally noble conduct of England in doing the same a short time after, England can claim no credit on this score to which we are not equally entitled. We ask attention to British policy in other aspects connected with slavery. Look then, at the British Government abolishing slavery in the West Indies, but pursuing a wholesale system incomparably worse in her East India possessions. The British Asiatic Journal says, "the whole of Hindostan, with the adjacent possessions, is one magnificent *plantation, peopled by more than one hundred millions of slaves,* belonging to a company of gentlemen in England, whose power is far more unlimited than that of any Southern planter over his slaves." In the very act of West India emancipation, it is distinctly declared, (see section 44,) that the slavery of other parts of the British Dominions was not to be in any way affected by the act. Beside the slavery just noticed in connection with the East India Company, there is a well known *government system* of slave ownership in Malabar, the Islands of Ceylon, St. Helena, and other places, where the English Government is a notorious slave-factor—a regular jobber in the purchase and sale of slaves. The system is carried on, enlarged, and perpetuated, by the purse and bayonet of the Government.—*Asiatic Journal and Parliamentary Debates.* Numerous English authorities might be cited, to show that England determined to sacrifice her West India Colonies to bring the productions of the Ganges and Barompooter in competition with those of the slave holding portion of the United States and the Brazils. The British Government has formally *sanctioned the entire Hindoo system of slavery.* The same *sanction* has been extended to the *Mahomedan system,* by which the Government has become a pander to both, spread out among a hundred and fifty millions of British subjects in India. England has gone farther. She has, actually, by the origination of a *separate, independent slave trade,* established, in India, a *third* system of her own, by the activity and vigor of which, the children of Africa and others, are being annually *enslaved by* thousands. An English witness, Dr. Bowering, affirms, of British subjects

in India, "the entire population of this vast empire are subjected to the most *degrading servitude*—a deeper degradation than any produced by West Indian or American slavery. They are perishing by thousands and hundreds of thousands from famine, while the store houses of the East India Company are filled with bread, wrung from the soil by a standing army." "Uncounted multitudes sell themselves and children *into slavery* by *permission* of the British Government."—*Parliamentary Papers*, 1839. The same authority declares, that "an *external slave trade*, by *importation*, including all the attendant horrors of a *regular system of kidnapping*, is carried on." The Duke of Wellington remarked lately, in the House of Lords, "slavery does exist in that country—domestic slavery in particular, to a very considerable extent; yet I would be careful how I interfered with the matter. I would recommend your Lordships to deal lightly in the matter if you wish to retain your sovereignty in India." McNaughton says, "thousands are at this moment living in a state of hopeless, unauthorized bondage. They have *sanctioned the free importation of slaves* into their territories from foreign States." Sir Robert Peel lately made the charge, and offered the evidence, in the National Legislature, that "British Merchants are, even now, *deeply* and *extensively* engaged in the *slave trade*." That country too, is at this moment engaged in a new system of ENGLISH *negro* slavery, by the *forcible capture* of negroes in Africa, *compelling* them to apprentice themselves, by the insulting mockery of legal forms, for a term of fourteen years; and whether this be with or without nominal security as to their freedom at the expiration of the term, it is essentially a violation of the compact of nations, relating to the slave trade, and a species of legal, but real piracy, by no means in bad keeping with other demonstrations of the English Government in the selection and use of means and measures for the purposes of national aggrandisement. Finding, too, that they cannot rely upon the labor of the free blacks, emancipation in the West Indies has been succeeded by *another experiment*—the enslavement of the *Hill Coolies* of India, to take the place of West India freed negroes. Both these systems of slavery are now in operation for the benefit of the West Indies, and other tropical portions of the Empire.

The legalized kidnapper seizes the hand of the poor captive on the banks of the Gambia, and compels his signature to a *fraudulent* indenture, about which he knows no more than the monkeys chattering in the woods about him, and he goes to the West Indies a *slave*, to prove the practicability of ample production, notwithstanding the emancipation of his predecessor! The Coolies, a poor, swarthy, degraded caste of laborers in India, existing in great numbers, and generally in a state of starvation and suffering, are prevailed on to go to the West Indies, and when they reach there, as apprenticed slaves, the negroes of the Antilles refuse all association with them, as more degraded than themselves. In India they are oppressed beyond the means of subsistence, and in 1838, five hundred thousand of them perished of famine in a single district. This state of things will always be sufficient to secure emigration, and supply the West Indies with slaves. No corner of the British Empire can be pointed out in which there is not worse slavery, in some shape or other, than in the United States. Who can help seeing that the fetters were struck from eight hundred thousand negroes, in the West Indies, only to be fastened upon as many European sufferers, of the laboring classes, at home? It has been more than intimated, in numerous English publications, and the Debates of Parliament, that speculations upon the reflex bearings West India emancipation is to have upon the fate of our Southern negroes, and especially in connection with the production of our Southern staples, rice, cotton, tobacco, and sugar, will go far to explain the philanthropy of the West India emancipation act.

England has betrayed and avowed her policy, and explained her motives in too many forms, to admit of doubt as to the intentions of government. That thousands of the good people of England saw in it nothing but good will to the negro, we readily admit. But when we see England, as we are compelled to, ruining and starving millions, by a system of oppression inconceivably worse than the slavery of the United States, we must be allowed to judge of motives by other tests than mere profession. How does it happen that England is so deeply interested in the fortunes of Southern slavery in this country, and at the same time so unfeelingly inattentive to the cry of millions of her own suffering subjects in British India? Why so readily excited into activity by caricature appeals in behalf of the American slave, while the living cry of her own enslaved and starving millions does not affect her? Why are the Cabinet, at Washington, as well as the people of the United States, favored with remonstrance and homily on the subject of civil oppression, while an unheeded voice is heard pealing through the diameter of the Globe, from Cuddalone, Tanjore, Madras, the Bengal Presidency, and other parts of outraged India, asking in vain for redress? We only quote British history when we state, that in two famines alone, occasioned solely by the forced exclusive monopoly of the grain trade, immense masses of human beings—all subjects of British military despotism, equal in number to *the whole negro population of the United States*—perished from sheer starvation, while within reach, in the English granaries, in both instances, were locked up and guarded by military force, ample means of subsistence and supply for all these murdered millions, and only and yet inexorably withheld from motives of pelf and cupidity, in view of enhanced price! The acute and discerning *Southey* says, of the great mass of the English poor, "they are deprived, in childhood, of all instruction and enjoyment. They grow up without decency—without comfort—without hope—without morals, and without shame. They bring forth *slaves* like themselves, to tread in the same path of misery." The North British Review remarks, "there is fair ground to question, whether, notwithstanding the existence of slavery, with all its attendant evils, there be a larger proportional amount of ignorance, crime, and misery, in the United States of North America, than is to be found in Great Britain and Ireland. The abolition of slavery in America would be a far greater triumph of principle, humanity, and courage, than was the emancipation of slaves in the British Colonies; its abolition there would be much more honorable. The physical condition and general treatment of slaves in the United States are better than they were in our West India colonies previous to emancipation. Our countrymen, in general, have treated the Americans unkindly and unfairly. It would have been hopeless to have expected West India proprietors to have emancipated their slaves without compulsion. We are very doubtful whether, if slavery had stood in the same relation to us it does to the inhabitants of the Southern States of America, there be even now enough principle, humanity, and courage, in the community of Great Britain to have effected its abolition." It is well known that quite recently the English Government passed an "order in council," for the transportation of *one hundred thousand negroes from Africa* to Demarara alone, and offers a bounty upon the head of every negro brought into Sierra Leone for transportation to the West Indies; thus *bribing* the African to make a slave of his fellow. It is true these poor creatures are called apprentices—being slaves in fact. There is not one fifth part the amount of slavery in the United States there is in the British Empire. In fact, England owns more slaves, detached from the soil, (not serfs or vassals,) than all other civilized nations put together. Allison, in his History of Europe, avows the opinion of Ireland, that "it would be a real blessing to its inhabitants, in lieu of the destitution of freedom, to obtain the protection of slavery." Murry, the English

traveler, says, of the slaves of the South, "if they could forget that they are slaves their condition is decidedly better than the great mass of European laborers." The London Quarterly Review, speaking of West India emancipation, says, "the results of that experiment are extremely doubtful. Let us *beware of increasing the suspicion* that we are willing to urge our example on the United States, from *motives* not of *philanthropy* merely, but in part at least of *mercantile calculation*." It has been avowed in England, since 1840, in twenty different forms, especially in leading political journals, that British tropical production cannot compete with American, until the American system of slavery is undermined. These journals have invoked attention to facts, so curious and instructive, that we shall be excused for noticing a few. Our sources of information are all English.

It has been urged that the cotton production of America, North and South, amounts to some 800,000,000 pounds, the result of slave labor, while England is unable to reach 150,000,000 pounds, in all parts of her dominions. The annual production of American sugar is stated, upon the same authority, to exceed that of England in the proportion of 10,000,000 to 4,000,000; and it is alledged that a similar disproportion obtains with regard to *all* tropical products. The English press has announced that the annual product of fixed American capital, based upon, or otherwise connected with slave labor, is about 220,000,000, while that of England, vested in the production of the staples to which slave labor is applied, in North and South America, does not exceed 50,000,000. It is declared, that England cannot look upon such results with indifference, and that she must *right* herself by some means, among which it has been more than intimated the subversion of the slavery system of the South was a desideratum. At one time it has been urged upon the attention of England, that the advantage enjoyed by America, in consequence of the large amount of slave labor, must lead to a corresponding extension of commerce, growth of manufactures, with increased national wealth and strength. At another, it has been pressed upon the notice of the Northern States, that it is *their* interest to unite with other countries in subverting the existing system of Southern production! And, apprehensive that the North might have sagacity enough to see, that drying up the sources of Southern production must instantly and fatally cripple Northern commerce and manufactures, with which those of England would be immediately brought in competition, prostrating the North as effectually as the South may be ruined, it has been attempted to show, that Northern capital and labor might accomplish, in the South of this country, what the *home* argument seems to concede is not likely to be accomplished in English Southern colonies! We would not be invidious. We are anxious to reason correctly on the subject; but we cannot perceive what connection there is between such appeals and suggestions, and the *ostensible* objects of English philanthropy and Northern abolition, respecting Southern slavery. Such a policy, if ever adopted and acted upon, will as certainly destroy the elements of our social strength and greatness, as that the Union of the States cannot survive it.

A member of the British Parliament declared, recently, "the greater proportion of the people of England *demand* the immediate emancipation of slaves, in whatever quarter of the world they may be found." He should have added—"let charity begin at home." Another member of Parliament says, "we will turn to America and *require* emancipation." It is to be hoped he meant, after freeing the last million of their own slaves! In this way foreign arrogance is reading us homilies on immediate emancipation, when even foreign ignorance must have known that all the emancipation we have had, in Mexico, Chili, Buenos Ayres, Colombia, St. Domingo, and the West Indies, was gradual, not immediate. The slaves of Mexico, so often quoted as an example of

immediate abolition, had to purchase their own freedom by labor, at an *ad valorem* estimate, requiring generally twelve or fourteen years labor, and in many instances much more; so that myriads of them were only emancipated by death. It is quite unnecessary to say, that deeply as the South may feel interested in the question of prospective emancipation, nothing will be yielded to intimidation at home, or from abroad. The London Athenæum appeals warmly and directly to the North, in favor of "the duty and policy of instant abolition." The London Herald, a government paper, says, in anticipation of a conflict with the United States, "are Texas and Oregon to become the principal military stations of a power which has at its command the Lakes, the St. Lawrence, Halifax, Bermuda, most of the West India Islands, and, *above all, the terrific war-cry of negro emancipation!*" The language attributed to the Duke of Richmond, whether true or not, as an utterance of his, must be regarded as full of interest, because in accordance with so much that is known to be true on the subject to which it refers. "The Sovereigns of Europe have determined upon the destruction of the Government of the United States, and have come to an understanding upon the subject, and they will eventually succeed by *subversion* rather than conquest. It is (this country) a receptacle for the bad and disaffected population of Europe; and the European governments favor such a course. This will create a surplus, and a majority of low population, who are easily excited. All the low and surplus population of the different nations of Europe will be carried into that country. They will bring with them their principles, and, in nine cases out of ten, adhere to their ancient and former governments, laws, manners, customs, and religion, and will transmit them to their posterity. Discord, disunion, anarchy, and civil war will ensue, and some popular individual will assume the government and restore order, and the Sovereigns of Europe, the emigrants, and many of the natives will sustain them." We leave facts to speak for themselves on this subject, whether in confirmation or correction of such speculations.

The manner in which our country is almost literally belted by British possessions, and surrounded by British influence, is known to every one. Take the range of the British West India Islands, from West to East, include the immense territory recently acquired of the government of Central America, and by means of which they will always be able to command the Ithmus of Darien, uniting North and South America—pass thence to New Brunswick, Nova Scotia, Newfoundland, the Canadas, New Britain, extending nearly to the Rocky Mountains, and to complete the chain, Oregon is claimed, from its Northern limit to its nearest approach to the Mexican boundary. In this vast region, a scattered population of nearly 100,000 are already subject to British law, with an immense military post at the mouth of the Columbia, thus commanding, not only the outlet of all our Northern Lakes, but occupying the key of the Pacific, with a view of controlling the trade of the Sandwich Islands, Java, the Spice Islands, China, &c. England is a friendly power, and should, by all means, be treated as such, to the extent her conduct will allow. She is, however, a rival, and *may* become an enemy. And by how far she has manifested a disposition to interfere with the internal policy of this country, especially in relation to slavery and commerce, should certainly be watched and resisted. The whole press of the country, political and religious, has been nearly unanimous in declaring the abolition and anti-slavery movement in the United States, to be of foreign *English* origin. The same has been avowed by the British and conceded by the abolition press of the United States. Is or is not all this sufficient, to place this country upon its guard? Grant that it is the duty, and would be wise in the people of the United States, to attempt by fair and constitutional methods, to free the country of slavery, why this foreign interference and tampering—why

this courting and coaxing of foreign countenance and co-operation, by the organized anti-slavery associations of this country? What must be thought of American citizens who ally themselves with foreign combinations to disturb and agitate the country, and on a subject and in a way, necessarily tending to dissolve the union of the States? One English Journal says, "the people of England will never rest until slavery is terminated in the United States." Another says, "slavery can only be reached through the Federal Constitution." Such is the text; and the comment is a constant effort in England, more or less disguised and respectful, to array the North against the South on the subject of slavery, and then in turn the South against the North, in the matter of her own free trade propagandism, with which the South is presumed to be in sympathy. We would not be ill-natured, but we ask attention to the facts. Again: why a constant effort of the English press to exagerate the disabilities and sufferings of the American slave, while similar and in many instances, inconceivably greater oppression and suffering among British subjects, are kept entirely out of sight? Should not a country so long and inveterately in the habit of claiming prerogatives, and exercising rights, not derived from either God or man, which is known to have expended much more blood and treasure, in invading the rights of others, than in defending her own, be a little careful in the extension of censorship over the morals of other countries? A nation whose annual custom it has been for ages, to transport thousands into perpetual slavery, in distant penal colonies, not merely for *crime proper*, but for offences committed only to prevent starvation, and by which no one was injured to the amount of a shilling, such as stealing a pheasant or shooting a hare, might afford to be a little more considerate, a little less officious, in meddling with the defective codes of other countries We are willing, never reulctant, to have bared to public gaze, the abuses of American slavery; but England ought never to do it without a faithful depiction of the atrocities she knows to exist, by license of her own government, in different parts of the Empire. For example, when lecturing the United States on the evils and horrors of Southern slavery, she should enable us to judge of her impartial clemency, in connection with practices not unlike those falsely charged upon the South of the United States; the history and philosophy of her transportation system; the elements of her gigantic plan of convict civilization; the degradation, the slavery, the exile, the hunger, the toil, the filth, the nakedness, the exposure; the bayonet, the hand cuff, the cat o'ninetail, the leg chain, the gory scourge, the military guard, the blood clotted triangle, the chain-gang, the iron hearted task master, the night watch, the blood hound, the gallows; cast away unwholesome food, which has circumnavigated the globe, saline petrefactions, called meats, and old as Her Majesty at that, devoured in the wooden night box and convict cave; British subjects sold by government as slaves to the highest bidder, and bought by British christians; scourgers appointed by law; the double government cat; government license for fifty lashes; labor during fifteen hours of the day, with the thermometer not unfrequently at 125! And the benignant authors of all this, our reprovers on the subject of slavery! I should be ashamed to write the above, were it not *that every phrase in the picture, is borrowed from British law and English witnesses.* With no wish to disparage the virtue and worth of England, a single question explains all we have in view: Why are the English meddling only with American slavery, without attending to their own kindred and even worse systems of degradation and suffering, found in every division of the Empire, and provoking the remonstrances of the civilized world? Why such care for us, and sympathy with the Southern negro, while enslaving and mal-treating the negro and other unfortunate portions of mankind elsewhere? Why so reckless of the fate of 40,000,000 of slaves in Russia, in connection with the Greek Church?

my, profaneness, drunkenness, Sabbath breaking, dishonesty, lying, and defamation; and so of the whole tide of human abomination, rolling up before them; are they equally jealous and exacting, in their attempts to suppress *these*? And if not, what is the inference again? Is there not a manifest inconsistency, between their clamorous aggressive movements, as it regards slavery, and their want of zeal and activity in the suppression of general popular crime, every where surrounding them? If conscience and religious principle were the exciting causes, one human interest would not be espoused at the manifest expense and to the great detriment of others. Why this frenzied sentimentality—this delerium of opinion and feeling on the subject of slavery; combined with such invincible Sadducean torpor as to other and worse forms of oppression and vice, and especially proverbial indifference to the moral and immortal wants of the negro? Notwithstanding the thousands of free negroes within their limits, all the abolitionism, love of the negro, hatred of slavery, all the perverted facts, distorted statements, declamatory defamation, and in some instances honest and able appeals, connected with an interminable array of newspaper and pamphlet warfare, conventions, meetings, lectures, agents, and importation of foreign aid—all these within the wide spread territory of the New England, Providence, Maine, Vermont, and New Hampshire Conferences, have not brought a solitary negro into the Methodist Episcopal Church, at least to remain there long enough to be reported. So say the ministers of the current year. How, why is this? Here is the negro—the free negro in the free and happy North. Here too are his own dear friends—his patent benefactors, laboring as above for his good, day and night, and even *the Sabbath* not intermitting the struggle, and yet, Heaven favored as he is, in the very Goshen of the moral world, with a superfluity of blessing for himself, and the popular curse, piled mountain high upon his oppressor, the incorrigible negro is not converted—none of them can be got into the Church—no, not one! Turn now to the Troy, Black river, Erie, Oneida, Michigan, Rock river, Genesee, North Ohio, Illinois—nine Conferences; in all these we have less than a thousand negroes in the Church! What does it mean; how is it to be explained? How does it happen, that the free blacks in the non-slave holding States, have been so very limitedly benefitted and influenced by a ministry, so indefatigable in the abuse and denunciation of slavery? Is it because the negroes have discernment enough to see, that their wordy benefactors have really never done any thing for the good of the negro, soul or body—that they do not care for the negro—that they are not the true friends of the negro? Why drive a trade with the sympathies of those they find themselves able to excite and agitate, but leave the poor negro to turn their abstractions and declamation, to what account he can—that is none at all, involving good of any kind? Who of these have volunteered to appear in the South, to instruct, console, and cheer the negro, amid the hardships of his lot? Addressing the very men of whom we are speaking, Bishop Hedding says, "if you feel as much for the slaves as our Southern brethren do—if you are willing to labor as hard and suffer as much for the benefit of the slaves, as those brethren do, *go and help them*; there is work enough there *for you all*." This noble and yet blistering challenge was thrown out by the Bishop seven years ago, but no one of these intrepid and devoted reformers of the Church, has appeared in the South for the salvation of the negro. They remain at home, and content themselves with fiery harangues and blustering paragraphs—revolutionary conventions and seditious reports, and we need scarcely add, that such cheap displays of humanity and showy exhibitions of feeling, costing nothing but words, can never deceive the negro or the friends of the negro in the South. But it may not be amiss to enquire, what has been the real value *of emancipation* to the negro, say in the United States and West Indies, where well un-

derstood experiments have been made, in due form. Ever since emancipation in St. Domingo, the mulattoes and blacks have been in a state of active hostile array against each other. The British Foreign Quarterly says of the former, "they were ignorant, covetous, lazy, proud, vindictive, and cruel, and almost totally destitute of moral feeling;" of the latter, "they saw the doors of their cage open, and like tigers, slipped out to rend and tear." Since their emancipation, the proportion of illegitimate births in the Island, has been increased to *three in every four*. The habitual invincible worthlessness of both races, has continued, with very little variation, ever since they obtained their freedom, and may be very justly estimated by the famous *Code Rurale*, by which labor was made *compulsory* to lessen the amount of theft, robbery, and starvation, in this model Republic of emancipated negroes. The same Journal informs us, sustained by other authorities, that not only in Hayti, but all the West Indies, even in Jamaica, whenever a fire, or any calamity of the kind takes place, the emancipated negroes invariably look on in stupid sullenness, without any attempt at assistance, and frequently indeed, the first flash of a conflagration or heave of an earthquake, is the signal for plunder. The production of St. Domingo, since the emancipation of the negroes, has been reduced as 150 to 15. Thousands of sugar plantations, have been utterly abandoned by the free negroes, because they found the Banana and other spontaneous fruits, would keep them from starving whether they worked or not. Professor Wilson, of Edinburg, says of England "she has forced upon the West India Islands, the monstrous project of negro emancipation—a step which has already reduced to one half, the production of those fine colonies, and given a blow to the prosperity of both the negro and European population, from which neither can ever recover. It soon became manifest that the negroes would not work." In the Island of Cuba, from 1775 to 1827, fifty two years, the increase of the free black population, was only 246, while that of the slave population was 547. A similar state of things, has always been presented, in the United States. Are privation and extreme suffering, favorable to rapidity of increase in population? If not, what must be the inference?

The effects of emancipation and the condition of free negroes in the United States, are matters too well known to require proof or illustration with the well informed. In Massachusetts, only one seventy fourth part of the entire population is African, and yet one sixth of all their convicts are negroes. In Connecticut, one thirty fourth are negroes, furnishing one third of all the convicts. In New York, one thirty fifth, and one fourth of the convicts in the city prisons are free negroes. In New Jersey, one thirteenth furnishing one third of all the prisoners. In Pennsylvania, one thirty fourth and over one third of all the convicts negroes. One fourth of the whole expense connected with the prison systems of the entire North, is incurred by crime committed by one twentieth part of the population. The same is strictly true with regard to the pauper expenditures of all the Northern States. Facts of this kind can never become so stale as not to be startling. We glance at them for a single purpose only; it is to show that amid all the appliances and under the most hopeful influence, of anti-slavery philanthrophy, the degradation of the negro continues unchanged, and may be seen in all the innumerable forms of indolence, vice, and misery. In Virginia, where no legal barrier prevents, in a population of 40,000 free negroes, less than 200 are found to own a single foot of land. And the same is true in about the same proportion, in all the States, slave and free. A well informed Northern Clergyman says, "every State seems to cherish a disposition to be *free* from a free black population. In all the walks of life, in every society, upon every path which lies before others, to honor, and fame, glory, a moral incubus pursues and fastens upon them. There appears to exist,

Why so unmindful of the slavery of Italy, Austria, Spain, and Portugal, found in the bosom of the Papal Church, while laboring so disinterestedly for the purity of the American Churches, as it regards the evil of slavery? Of a hundred millions of negroes, found upon the bosom of our world, no three millions existing together, in any country, can be pointed out, enjoying any thing like one half the physical and moral advantages enjoyed by the slaves of the Southern States; and why is it so much sympathy is felt for the few, thus circumstanced, and so little interest cherished in behalf of the remaining millions, at least in no better, and believed to be in a much worse condition?

Dr. Durbin, fresh from the great theatre of abolition ethics, and known to be an acute observer of men and things, says, "the truth is, *that under the present working of British institutions, the mass of the people are* SLAVES, *and the few are* MASTERS, *without the responsibilities of masters. The physical condition of the greater part of the slaves in the Southern States of America, is better than that of millions in England and Ireland*—their *moral and intellectual condition* CANNOT *be worse.*" Plainly, the millions of the common mass of England and Ireland, are more truly and miserably *slaves*, than the negroes of our Southern States. Now will it or not, be the "sense" of the Majority of the late General Conference, that the Wesleyan Methodist Preachers, the Buntings, the Newtons, the Jacksons, and Dixons, who certainly rank with the "masters" and not with the "slaves," and who "travel at large and oversee the work" Wesley left to be superintended by them, shall "desist" from the exercise of their functions, as "overseers of the Church of God," until this "impediment" is removed, and the millions of *English and Irish slaves* are freed, whether they *can be or not?* And until they do this, can they be regarded as any better than poor Bishop Andrew, who was made a slave holder without his consent, by the "working" of similar "institutions?" But further, for the consideration of our trans-Atlantic friends. It is known to them—to all, that large portions of the children of Africa, have existed in a state of slavery for 3,000 years, and it is equally well known, that unconnected with all other races, one portion of the negro race, since the earliest dawn of history, has been enslaved to another, and that in greater proportion too, than to any other race. There are ten, perhaps more than twenty *negro* masters in Africa, to every white one in the United States, and owning ten, if not twenty times as many negroes. And it is also true, that those portions of Africa, where the slave trade with the white man is unknown, are the most *inveterate slave regions.* It has been estimated, that something like nine tenths of the whole sixty millions of Africa, are in fact slaves. The English can doubtless account for the origin and existence of American slavery, as they are the authors of it, and are now battening upon its gains. But how will they account for the state of things in Africa? And why so much zeal in *this* direction and so little in *that?* In all the negro islands, (many and populous,) of the Indian archipelago, the negro is enslaved to the negro. Why too, are the negroes of this and every other country, St. Domingo and the other West India Islands especially, so utterly and proverbially indifferent to the condition of their fellow negroes in slavery? In no instance have they, as a people, made a move for the freedom of the negro, or manifested any general solicitude on the subject. Does there or not, appear to be some deep and primary reason for such startling results? Grant that England and the North can satisfactorily explain the matter, so far as they are the authors of American slavery; still, is there not much beside this, which needs to be explained? Why a destiny so untoward, for every portion of the African race, for now a term of at least 3,700 years? All our hopes and fears centre in the conviction, that whether for good or evil, or it may be a mysterious dispensation of both, *the hand of God* must connect with such a destiny!

Similar reasoning applies to the Northern division of our own country. New England capital, combined with the acquisitive ardor and daring enterprise of her hardy sons, gave birth to a large proportion of the whole amount of American slavery, as well in the South as North. An almost incalculable amount of Northern capital, is at this time invested in Southern slaves. The hundreds of Northern men, annually settling in the Southern States and Territories, are known promptly and without hesitation, to become slave holders; and the *Simon-pureism* of Church and State—of Pilgrim and Puritan—fresh from the most approved nurseries of abolition zealotry, yields to the suggestions of convenience and interest, in enlarging and upholding the system of Southern slavery. Even temporary residents in the South, from the North, and belonging to Northern Churches, become slave holders in instances not a few. Indeed very few of the New England and Northern Clergy, taking the range of all denominations, emigrate South, without becoming slave holders, as soon as they find themselves able. And a great many, the owners of slaves in the South, *sell them there*, and return North to live, it may be, in ease and affluence, upon the "price of blood," in the parlance of anti-slavery ethics. And in this connection, the Northern Methodist Church, and especially the Ministry, are entitled to notice. With motive we have nothing to do, except as general conduct must be regarded as being its only true exponent. What is had in view, therefore, by the ceaseless increasing agitation of the slave question, must be judged of by the character and conduct of the agitators, in other respects—particularly in relation to vice and the vicious, in other departments of evil and classes of evil-doers. In this regard, it is pertinent and important to enquire—are they equally zealous and as intolerant in reference to *other* forms of evil, as in the case of slavery? Are they as intolerant of other forms of slavery as of *negro* slavery? Is it oppression they hate and would destroy—oppression in all its forms and wherever found? Do they seek out and relieve the enslaved and oppressed of every relation and condition—the wife, defrauded of her rights in a state of hated servitude—the oppressed child, crushed beneath the unfeeling brutality of parental despotism—the hired servant, wronged and borne down by a tyranny, to which necessity subjects him—the miserable slaves of unprotected apprenticeship—the unfortunate debtor and inmate of the poor house, deprived of unforfeited rights by the indifference and obduracy of public and popular feeling? If such be their conduct, we are not at liberty to question their motives as anti-slavery reformers for the benefit of the South. But by how far such is *not* their conduct, we impugn their motives, as at least of very doubtful character. When the benefit of the slave is sought, by cursing the slave holder, we cannot admit the plea of good motive, and must consider hostility to the South as the real cause of the movement. Millions in the civilized world are the victims of a legal and social despotism, incomparably worse than Southern slavery. They are more ignorant, have less control of their persons and actions, have less to eat, and food of a worse quality, they are worse clothed—they work harder and longer, in every twenty four hours, have less contentment, less motive and emulous feeling, and in every respect, are in a state of debasement more utterly hopeless than American slaves. And why is it, feeling and sympathy are not manifested in their behalf, in a manner corresponding with abolition sympathy for the Southern slave? What interest is felt or manifested for the millions in the civilized world, now in a state of vassalage or villénage, two systems of slavery, equal at least in evil and injury, to the system of American slavery. Not equally zealous with regard to other social evils, what must be the inference, as it regards their motives? And how as it regards *crime*? Take the vices rife and dominant on every side of them. Look at the commonness and insolence of impiety, stalking all about them. Blasphe-

my, profaneness, drunkenness, Sabbath breaking, dishonesty, lying, and defamation; and so of the whole tide of human abomination, rolling up before them; are they equally jealous and exacting, in their attempts to suppress *these*? And if not, what is the inference again? Is there not a manifest inconsistency, between their clamorous aggressive movements, as it regards slavery, and their want of zeal and activity in the suppression of general popular crime, every where surrounding them? If conscience and religious principle were the exciting causes, one human interest would not be espoused at the manifest expense and to the great detriment of others. Why this frenzied sentimentality—this delerium of opinion and feeling on the subject of slavery; combined with such invincible Sadducean torpor as to other and worse forms of oppression and vice, and especially proverbial indifference to the moral and immortal wants of the negro? Notwithstanding the thousands of free negroes within their limits, all the abolitionism, love of the negro, hatred of slavery, all the perverted facts, distorted statements, declamatory defamation, and in some instances honest and able appeals, connected with an interminable array of newspaper and pamphlet warfare, conventions, meetings, lectures, agents, and importation of foreign aid—all these within the wide spread territory of the New England, Providence, Maine, Vermont, and Hew Hampshire Conferences, have not brought a solitary negro into the Methodist Episcopal Church, at least to remain there long enough to be reported. So say the ministers of the current year. How, why is this? Here is the negro—the free negro in the free and happy North. Here too are his own dear friends—his patent benefactors, laboring as above for his good, day and night, and even *the Sabbath* not intermitting the struggle, and yet. Heaven favored as he is, in the very Goshen of the moral world, with a superfluity of blessing for himself, and the popular curse, piled mountain high upon his oppressor, the incorrigible negro is not converted—none of them can be got into the Church—no, not one! Turn now to the Troy, Black river, Erie, Oneida, Michigan, Rock river, Genesee, North Ohio, Illinois—nine Conferences; in all these we have less than a thousand negroes in the Church! What does it mean; how is it to be explained? How does it happen, that the free blacks in the non-slave holding States, have been so very limitedly benefitted and influenced by a ministry, so indefatigable in the abuse and denunciation of slavery? Is it because the negroes have discernment enough to see, that their wordy benefactors have really never done any thing for the good of the negro, soul or body—that they do not care for the negro—that they are not the true friends of the negro? Why drive a trade with the sympathies of those they find themselves able to excite and agitate, but leave the poor negro to turn their abstractions and declamation, to what account he can—that is none at all, involving good of any kind? Who of these have volunteered to appear in the South, to instruct, console, and cheer the negro, amid the hardships of his lot? Addressing the very men of whom we are speaking, Bishop Hedding says, "if you feel as much for the slaves as our Southern brethren do—if you are willing to labor as hard and suffer as much for the benefit of the slaves, as those brethren do, *go and help them*; there is work enough there *for you all*." This noble and yet blistering challenge was thrown out by the Bishop seven years ago, but no one of these intrepid and devoted reformers of the Church, has appeared in the South for the salvation of the negro. They remain at home, and content themselves with fiery harangues and blustering paragraphs—revolutionary conventions and seditious reports, and we need scarcely add, that such cheap displays of humanity and showy exhibitions of feeling, costing nothing but words, can never deceive the negro or the friends of the negro in the South. But it may not be amiss to enquire, what has been the real value of emancipation to the negro, say in the United States and West Indies, where well un-

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The effects of emancipation and the condition of free negroes in the United States, are matters too well known to require proof or illustration with the well informed. In Massachusetts, only one seventy fourth part of the entire population is African, and yet one sixth of all their convicts are negroes. In Connecticut, one thirty fourth are negroes, furnishing one third of all the convicts. In New York, one thirty fifth, and one fourth of the convicts in the city prisons are free negroes. In New Jersey, one thirteenth furnishing one third of all the prisoners. In Pennsylvania, one thirty fourth and over one third of all the convicts negroes. One fourth of the whole expense connected with the prison systems of the entire North, is incurred by crime committed by one twentieth part of the population. The same is strictly true with regard to the pauper expenditures of all the Northern States. Facts of this kind can never become so stale as not to be startling. We glance at them for a single purpose only; it is to show that amid all the appliances and under the most hopeful influence, of anti-slavery philanthrophy, the degradation of the negro continues unchanged, and may be seen in all the innumerable forms of indolence, vice, and misery. In Virginia, where no legal barrier prevents, in a population of 40,000 free negroes, less than 200 are found to own a single foot of land. And the same is true in about the same proportion, in all the States, slave and free. A well informed Northern Clergyman says, "every State seems to cherish a disposition to be *free* from a free black population. In all the walks of life, in every society, upon every path which lies before others, to honor, and fame, and glory, a moral incubus pursues and fastens upon them. There appears to exist, in the

breasts of white men, in this country generally, a prejudice against the color of the African, which nothing short of Divine power can remove. It is thought by many at the *North*, that immediate emancipation would render it necessary for the whites to exterminate the blacks, or abandon the Southern soil."—*Conver on Slavery*. Dr. Fisk boldly maintained, throughout the hottest of the abolition contest, in the East and North, that either immediate emancipation, or emancipation at all, without removal, would be worse than slavery, to all concerned. Dr. Phillip attempts to account for the unmitigated aversion to the color of the African, so universally prevalent in the United States, especially in the North, by ascribing it to the injuries, we as a people, have inflicted on that unfortunate race. Our only concern at present is with the fact, showing that the negro has no chance to rise or improve in this country. A Northern author, in an admirable "Plea for Africa," declares, "the humanity of slave holders in the Southern States, has far exceeded the feeling indulged toward the blacks in my native New England or the Middle States. A much kindlier feeling is indulged towards the blacks at the South than at the North." The whole current of evidence on the subject tends to show, that the reprobate South is the only section in the United States, where any considerable attention is paid to the wants of the negro. Of the free negroes of New England, of Connecticut, of New Haven even, Dr. Bacon enquires. "are they not, in the estimation of the community, and in their own *consciousness*, *aliens* and *outcasts*, in the midst of the people." Dr. Dana, of the North, says, "there are principles of *repulsion* between them and us, which can *never* be overcome." The unfortunate negro may cease to acknowledge a master, but cannot deprive himself of the consciousness, that he belongs to a degraded class, which as a class can never rise to equality with the white race about him. The North has inspired the negro with expectations above his condition; duped him with hopes he can never realize, and disgusted him with a lot, from which he can never escape, and from which the North has done nothing to enable him to escape.

The city of Baltimore, presents probably the largest and most intelligent mass of free persons of color, found in the United States. A large number of them are persons of reading and reflection. These in an appeal to the citizens of Baltimore, and through them to the people of the United States, say, "we reside among you and yet are *strangers*—natives, yet not *citizens*—surrounded by the freest people and the most republican institutions in the world, and yet enjoying none of the immunities of freedom. Difference of color, the servitude of most of our brethren, &c. will not allow us to mingle with you in the benefits of citizenship. As long as we remain among you, we shall be a distinct *caste*—an extraneous mass of men irrecoverably excluded from your institutions. Though we are not slaves, *we are not free*. We do not and never shall participate in the enviable privileges which we constantly witness." Judge Blackford says, "they are of no service here, (free States,) to the community or themselves. They live in a country the favorite abode of liberty, without the enjoyment of her rights. To all these the black man is a stranger." "Here the features, the complexion, and every peculiarity of his person pronounce upon the ransomed slave *another* doom."—*C. on Slavery*. "If liberated and left among the whites, they would be a constant source of annoyance, corruption, and danger. They could never be trusted as faithful citizens. Each would regard the other with painful suspicion and apprehension. It is essential to the interests of each, that they be separated."—*Dr. Miller*. "The removal of the colored population is, I think, a common object, by no means confined to the slave States; the *whole Union* would be strengthened by it, and relieved from a *danger* whose extent can scarcely be estimated."—*Chief Justice Marshall*. "A polit-

ical evil which we have inherited—a stain to be washed from the national escutcheon."—*Gov. Vroom.* "Ourselves, our children, our land, and every beloved institution of our country, are deeply involved"—*Bishop Meade.* "The free black whom prejudice consigns to a moral debasement in the North, is as deeply injured as the slave who, in the South, is held in physical bondage. The mass of crime committed by Africans is greater in proportion to numbers in the non-slave holding than in the slave holding States, and as a general rule, the degree of comfort enjoyed by them is inferior. They are destined to be forever proscribed and debased by our prejudices."—*B. F. Butler.* "The breath of opinion poisons all their efforts. They feel it is impossible to contend with the whites. They call more loudly for our sympathy than their brethren in bondage."—*Rev. Mr. Bestor.*

That part of the Protest which shows the whole Church, North as well as South, to be plainly and unavoidably connected with slavery, is not noticed by the Reply at all, although a great portion of its reasoning turns upon this point entirely. The boast of the North, generally, of freedom from slavery, is equally fallacious. Where are the descendants of the thousands of slaves sold by the progenitors of Northern abolitionists in the Southern States and West Indies? Sold and deeded by them into perpetual captivity, how is the slave trading North to get rid of the evil? What are these abolitionists doing with the "price of blood" thus left them by their sainted sires? In working out their freedom from slavery, what of the poor Pequod Indians enslaved by them at home, and shipped in large numbers to the Bermudas, and there sold into interminable slavery? Who owns, and is consuming the millions in the North, acquired by *actual, regular, and protracted merchandise,* in the souls and bodies of men, connected with the slave trade between the periods of 1650 and 1845? How are the children of a slave holding and slave trading ancestry, who have consigned thousands to perpetual servitude, from mere motives of gain, to rid themselves of the *moral* relations and effects of slavery? How many now engaged in spreading the evangelism of anti-slavery, have resided South, owned slaves, not by inheritance or in right of marriage, but by purchase, have *bought low and sold high,* and returning to the North, are now living on the proceeds of slavery, and weekly contributing, in their own patent phrase, the "price of blood" in the diffusion of abolition abuse? Dr. Dana says, "let us not imagine, for a moment, that we, in this Northern clime, are exempt from that enormous guilt connected with slavery and the slave trade which we are so ready to appropriate to our brethren in distant States. In New England are the forges which have framed fetters and manacles for the limbs of unoffending Africans. The iron of New England has pierced their anguished souls. In New England are found the overgrown fortunes—the proud palaces, which have been reared up from the blood and sufferings of these unhappy men. The guilt is strictly national—national then, let the expiation be. Let the *whole* country confess its guilt." New England and foreign slave merchants filled the South with slaves, aided by the sanction and participation of the British government. The oppressor's gold has enriched the North as well as the South. The truth of history speaks in the lines of Mrs. Sigourney—"The frown of deep indignant blame bends not on *Southern* climes alone. To dark slavery's yoke severe, *our* father's helped to bow the neck." If the whole matter in question be fully and fairly examined, the North may find itself as deep in debt to the justice of God, as even the South; and as it regards the slave *trade,* infinitely more so. How many more or less than a score of Northern vessels, with men and capital in necessary proportion, are at this moment engaged in the slave trade between Africa and the Brazilian ports alone? Who is ignorant of the amount of Northern capital engaged in the slave trade with the

Island of Cuba, after the opening of the port of Havana to foreign slave vessels, in 1789, and still further in 1791? Immense portions of the wealth of the North have been acquired by means of slavery and the slave trade; and slavery, in the light of means connected with the end, is now interwoven with the whole *civil* and *social* economy of Northern society. It cleaves to the soil, the homesteads, the churches, the graveyards, the colleges, the schools, the political economy, and religious enterprise of the land. The real difference between the North and the South appears to be, the one holds the *slave*, and the other the *price* of the slave. The one has the power to obey the command of God, respecting the slave, and is, of course, responsible for the use of it. The other bartered the slave and the responsibility together, for gold, and by way of educing good from "evil," secured a preferred equivalent for the one and the other.

The Southern portion of the Church, having any connection at all, are connected with slavery under the high and direct sanction of law; and how will it be made appear that such connection is criminal, while a multiform connection with slavery is found in the North, in direct violation of the constitution and laws of the United States, in some if not all of its aspects, and yet not criminal? Slaves, recognized as property, by express provision of *the supreme law* of the land, are, in instances almost innumerable, decoyed or stolen from their owners, secreted, protected, and aided in effecting their escape, although after being thus stolen or decoyed off, they are as really and truly slaves, and the property of others, as though nothing of the kind had occurred. Wherever they are found, in Northern States, they belong, by right of law, and the pledged consent of every citizen of the United States, to those from whom they have been stolen, or induced to escape, and no length of residence, North, affects the title of the owner. In this way, all engaged in *this species of abolition*, or in any way furthering or approving it, have a direct connection with slaves and slavery, in open violation of law; that is, they take, or otherwise aid, in depriving the owner of his property, without his knowledge or consent, and thus, in defiance of law, connect themselves with slavery by means of theft and robbery. We should like to know how this class of "men-stealers," (such by the constitution and laws of the country,) can escape the charge of connection with slavery, or how they expect to dissolve such connection! Entailed upon the South by means of British policy and Northern commercial enterprise, how does it happen that the curse of slavery is to be borne by the South alone? What baptism has washed the stains of the original lepers? By what vicarious arrangement have their sins been fastened upon the South, as the scape-goat by which they are to be borne away? How many Northern Methodist Preachers were ordained by Bishop Coke, during his connection with slavery in the West Indies, between 1788 and 1792, and how has the Northern Church got rid of the evil *thus* entailed upon them? All the superior Councils of the Church, since 1780, have consisted, in part, of slave holders, and always found in many of the Annual Conferences; slavery has been mixed up with all the federal relations of the Church for 65 years, and how is the Church to rid itself of *this* taint? The evil in the South has its warrant in the law of its production; in causes over which we had no control, and with the existence and operation of which, those who now abuse us most, English and Northern abolitionists, are more intimately connected than all the world beside. The North is a stockholder in the slave trade as truly as the South, and can never cease to be one, until the *gains*, by means of it, in all the successive accumulations of principal and interest shall, to the last cent, be expended in efforts to remove the evil they have inflicted on this country, on Africa, the countries of South America, the Islands of the West Indian Archipelago, and other portions of the globe.

We have seen that slavery is, to all intents and purposes, a national arrangement. The whole nation was originally concerned in its introduction and prevalence among us. The whole nation consented to its legal perpetuation, by its formal recognition in the Constitution of the United States. It could only become national, in the Union of the States, by consent and contract of the North. All statesmen and jurists treat it as a national concern. A Northern reviewer says, "the evil is ours as well as theirs; we are ready to appropriate it all to our Southern brethren, but we have no power or right thus to wash our hands. From the North have gone ships, and seamen, and traders in human flesh, that have been polluted by the inhuman traffic, and the 'pieces of silver' gained by them have been apportioned to the North: the North have shared largely in the accursed spoils." Is the North ready to consecrate these gains to the removal of the evil? Until this is done, if no longer, the North remains, of necessity, connected with the evil, as they have merely exchanged the slave for his value in the shape of other capital. Suppose too, the North were called upon, as the means of atoning for the evils inflicted upon the nation, by the importation of intoxicating liquors, and other demoralizing means of gain, during the last two hundred years, to sacrifice the amount of property now connected with the slave system of the South, say 800,000,000 of dollars, which they require the South to yield, and be thankful that they are let off so lightly! What requirement of God or man would secure such an alienation of property on the part of those who exact it of the South, in propitiation of Northern displeasure, on account of the evil of slavery? If not prepared for anything of the kind, may they not learn a lesson of forbearance toward the South, especially as they contributed so largely toward the establishment of the property system of the South? How will it be shown that it is either honest or honorable in the North, while enjoying the advantages of the national compact, to demand back the price they were once so glad to pay for it? In what sense slavery is national, and in what provincial only, has been shown with sufficient clearness in this discussion. And as slavery, within specified limitations, is a principle of public policy, those who assail it as an outrage, can only do so by assailing the civil compact uniting the several States of the confederacy. Or, turning to the provincial aspects of the question, they give their local views and policy an extra-territorial application, contrary to, and in violation of the federal treaty rights of American citizenship; and in doing so, must, of necessity, act in bad faith. We are glad to know that thousands in the North, opposed to slavery, are not disposed to disturb the South by any agitation of the subject; and by how far they discountenance agitation in this, or any other way, the South will accord to them the justice and generosity to which their conduct entitles them. Nor can we perceive what damage or disreputation would accrue to the Scribes and Pharisees of abolition and anti-slavery, were they to take a lesson from the conduct of this portion of their fellow citizens, and especially from that of Christ and his Apostles on this subject.

In the application of this reasoning, Methodism is no exception to the general rule. The impurity, the hated leprosy is spread all over the North by the constitution and laws, and by consequence, stipulated consent and established usages of the Church. The action of the last General Conference, if carried out, will prove but an anodyne, not a remedy. Much else will remain to be done. Pragmatic pertinacity in excluding slavery from the Episcopacy, say the Executive Department, while it is allowed to remain in the General and Annual Conferences—the Legislative and Judicial Departments of the Church, deemed by the majority of so much more importance—will always appear to the impartial and well-informed, as ridiculous as it is absurd and inconsistent.

is used in no such sense. Such a construction would not only prove the Methodist Church unworthy of confidence, but the great head of the Church general, Prophets and Apostles, the Scriptures of the Old and New Testaments, the principal fathers and writers of the Church, since the days of inspiration, would be equally included in the condemnation; for we have seen that all these have steadily and formally recognized the state and relations of slavery, even perpetual hereditary slavery, and have specifically legislated and given direction, not for its overthrow, but for the regulation of the duties and obligations arising out of such state and relations. Taking the slavery of the United States, and certainly we have proved it to be such, as a long established civil regulation of jural origin, interwoven with all the successive forms of government, and the very structure of society, unless it can be shown to be inconsistent with the word of God, and so forbidden to the christian, we maintain that any authoritative interference with the relation by the Church, is a usurpation of right that ought to be resisted. We have seen at length and undeniably, that the judgment of our chief pastors, the Bishops, as given at different times, and fully sustained by repeated and formal declarations of the General Conference, directly rejects the supposition that the relation in itself is disallowed by the word of God, and therefore sinful. All the Bishops jointly, Bishop Hedding, Dr. Bangs, two successive General Conferences, and other authorities, have been adduced to show that since the early abolition of the Methodists in the United States, this has never been the doctrine of the Church. In matters of conscience she has, by her own official avowal, no right to legislate, except what she derives from the Bible.—*See Dr. Emory's report in* 1828. Whence her right then to denounce as morally wrong, a civil relation, recognized and tolerated in the Jewish and Christian Scriptures? The recent General Conference declared the slavery question to be one of conscience, and as the subject is discussed in the Bible, which we receive as "the *only* and sufficient rule of faith and practice," we ask for the warrant of the Majority in taking the stand they have on this subject. One of two things we claim, in the abused name of God and his word:—either furnish the warrant we call for or treat us on this subject as we are treated by the Bible and its author. We do not mean to say that the Bible favors slavery, or that slavery is not an evil; what we insist upon is, that the Bible treats it as a jural arrangement in human governments, which the Church has no right to assail or disturb, beyond proper efforts to bring master and slave into the fold of Christ, and urge upon both the faithful performance of their relative duties, that in this way, principle and conviction may operate their appropriate results. This was God's ancient method in the Patriarchal and Jewish ages, and that of Christ and his Apostles under the new dispensation, and we insist it will be found to be the only efficient means for the extirpation of the evil. Beyond this the Bible is neither *for* nor *against* slavery. There is no *pro-slavery*—no *anti-slavery* in it. The relation is recognized and its duties clearly pointed out, and at the same time all abuse of the relation is denounced as sin and punished accordingly. Whatever the zeal and fanaticism of modern enlightenment may decree or say, no other method of treatment is found in the Bible or authorized by its ethics. Having in various forms brought the subject to the notice of the Church, as requiring his interposition, why is God not permitted to express his own will, and explain his own law and purposes? Sacredly pledged to abide by these, as found in the Scriptures, have or have not the high engagements of the Church been broken in connection with the facts brought to notice in this Review? How the legislation of the Church has been treated, we have seen in extenso. Can further proof be needed to show that civil law has been declared, in effect, null and *void, in its assertion of the rights* of citizenship? In the case of Bishop Andrew, for

condems the relation or the system, but is limited to conservative regulations, designed to prevent abuse, and inculcate duty, in relation to all connected with the system, whether as masters or slaves. Non-resistance to the law of servitude as a civil arrangement, submission and fidelity on the part of slaves, are exacted as matter of christian duty, and for the emphatic reason "that the name of God and his doctrine be not blasphemed," as by those, who teach the right of resistance and non-submission, in the premises. The same duty is urged, in view of the solemn motive, that the slave may "adorn the doctrine of God our Saviour," a part of the "doctrine of God our Saviour," being, that as the master owes protection, support, and kindness to the slave, as such, so the slave owes obedience and all fidelity to the master, in his character of master. A still more explicit reason, assigned in the New Testament, is, that such obedience, so performed by the slave, is necessary to the Divine approval, as matter of plain duty, growing out of the civil condition of the slave. Every critical student of the New Testament, is well aware that there is not in it a single sentence, nor any series of them, from which induction can logically deduce the inference, that the simple owning or holding of slaves, is inconsistent with the word of God, or christian character. How is it then, that so many have become "wise above what is written," and are so far in advance of the revelations of infinite wisdom, on this subject, as to represent slavery under any circumstances, as one of those monster vices—a Giant abomination, which (according to some,) christianity has refused to pollute her lips with, and has left to be destroyed by *extra-scriptural* efforts, or if such be not the position, (according to others,) then let us have the warrant from the word of God, under which they presume to act. Difference of opinion and feeling on the subject, we do not complain of—this is to be expected, but when it comes to cursing and outlawry from the pale of all the virtues, then those who so treat us, must produce Divine warrant for what they do, or stand exposed to the charge of arraigning the wisdom and the word of God. By a denunciation of slavery as the sin of sins, the *disciple* charges the *Master* with infidelity to His commission, for by a most unaccountable oversight, the great Teacher, and the inspired expositors of his declared will, failed to intimate, that it was a sin at all. Those we oppose in this argument, make the christian profession a reason for dissolving the relation of master and slave, contrary to the unequivocal teaching of the New Testament, which enjoins the duty of greater fidelity on the part of the christian slave, because the master is a christian too, and they brethren in Christ, and in this way our opponents *deface* rather than *adorn* the doctrine of God our Saviour. The New Testament teaches that this doctrine is adorned, when the slave renders a ready and cheerful obedience, in view of his relations as a slave; modern menders of the Divine message teach, that it is best done by disobedience, theft, robbery, running away, or placing themselves in a position to be *stolen* by their benefactors. The New Testament enjoins obedience upon the slave, from motives of honesty and uprightness, lest the name of God and his doctrine be blasphemed; the reformers in question, however, blaspheme both the name of God and his doctrine, by inculcating directly the contrary course of conduct. The New Testament requires that kind of obedience which counts "the master worthy of all honor"—that is, in the relation of master. It directs the slave not to be careful about his servitude—"care not for it," although freedom is to be preferred, when it is offered by rightful authority. It also teaches the slave to render service to his master "as unto Christ"—"not to steal but to show all good fidelity"—and finally, most solemnly requires all ministers of Jesus Christ, "to *teach and command these things*," and assures the Church and the world, that those ministers who *fail* or *refuse* to do it, "do not consent to wholesome words, *even the words of* the Lord

Jesus, but are proud knowing nothing—doting about questions and strifes of words—whereof cometh envy, evil surmisings, perverse disputings of men of corrupt minds, destitute of the truth, from such *withdraw*." Here is a picture too fearfully attractive not to be noticed. A picture drawn by omnicient discernment, and every word of it originally applied to the subject of slavery and abolition. We are not ignorant of the extent to which sneer and banter have been appealed to, to deter all concerned from any thing like a *scriptural examination* of the subject. Those who resort to such a course, doubtless perceive, that whatever warrant they may have for their conduct from other sources, they have none from the word of God. They no doubt feel, that they are *teaching* Prophets and Apostles instead of *learning from* them! The Church that claims authority to excommunicate, or in any way punish or disparage the claims of a man merely because standing in the relation of master or owner to a slave, treats the language and analogy of the Bible on this subject as obsolete, for in the Scriptures of both the Old and the New Testament, the relation is recognized as existing in the Church, every way and essentially distinct from that of *hired or indented service*, and in a way further, showing the relation to be allowable by Divine permission. God informed his people, under the old dispensation, that they might hold slaves either for a term of years, or for life, as a "perpetual possession" and "inheritance" for their children. The permission is expressly given in various forms. Under the new dispensation, He has not only failed to say they shall *not* do so, but proceeding upon the fact *that they did*, and the assumption *that they would*, He simply instructs them, *how to treat their slaves*, and explains to them the *kind of service* they may reasonably expect from them. The cruel, unjust, and even *unkind* master, should be disowned by the Church, as also the *faithless* slave. The humane and considerate master and the faithful slave, have as good a right, according to the Jewish and Christian Scriptures, to membership in the Church of God, other things being equal, as any class of mankind whatever. The practice of the Church for more than thirty centuries, has been in accordance with this statement. Biblical scholars need not be told, that in the Hebrew and Greek of the Old and New Testaments, terms denoting the *slave proper*, by general consent of all commentary and criticism, and clearly beyond doubt distinguishing the *slave* from the *hired* or any *other* kind of *servant*—thus forming two separate and well defined states of servitude, are used *several hundred times*, and frequently in *direct contrast* in the same sentence, and that in both langnages, and both divisions of the Bible, they are distinguished and kept separate, by the use of different terms, without any confusion of meaning or application. They need not be told, that in the New Testament as in the old, the one relation is recognized as existing in the Church, as well as the other, and that there is no prohibition of the one any more than of the other. The distinction between ruler and subject, parent and child, husband and wfe, is not more distinctly maintained by the use of *different* terms, than that between the *slave proper* and the *hired servant* of the Scriptures. If this be not so, let the contrary be shown. Let it be made appear, that the "*Eved*" and "*Saukeer*", (*slave* and *hired servant*,) of the Hebrew Scriptures—the "*Doulous*" and "*Misthotos*," (*slave* and *hireling*) of the Greek of the Septuagint and the New Testament, with their almost innumerable compounds and formations, as well as other kindred terms, with their compounds and derivatives, used to denote the *same contrasted* relations—let it be shown, that all these, so used in several hundred places, do not mean the *opposite* civil and domestic relations of slavery and freedom—of compulsory and voluntary service. But if not, and the Bible is found teeming with such evi dences and distinctions with regard to slavery, while the very Decalogue recognizes the relation, and it is re-published in the sermon on the mount, let it be admitted that the

evil of slavery is to be judged of in view of other tests than its condemnation in the Bible. Were the Bible silent on the subject, the case would be very different. Other means of judgment would, of necessity, have to be appealed to. But the Bible is not silent. Heaven has legislated on the subject, and beyond that legislation no man or Church can go, without a departure from the word of God. The Methodists have avowed the belief to Heaven and earth, that what is not taught in the Bible, cannot be made a condition of salvation, and by consequence cannot be essential to christian character or ministerial qualification. Let the Bible then, come in as a witness on this subject, and let its decision be conclusive of the controversy. This must have been the design of Heaven, or the subject would not have been introduced there. We may fight and divide, and fight after division, until weary and wasted, and it must come to this at last. Slavery as a question of *morality*, can only be settled *by an appeal to the revealed will of God.* Here, and on this ground, must the decisive battle be fought. Let this then be the issue. The Divine will being revealed on the subject, in the Scriptures, *what is it?* If we misunderstand the great register of our faith, let us see our wrong. If we lack information, enlighten us. If by fair exegetical argument, the contrary of what we assume can be shown, we pledge ourselves to submit. But should it appear that the Bible recognizes the jural and social relation of master and slave, as a concern of civil government, with which the Church has no right to interfere, beyond the inculcation of duty and the correction of abuses incident to the relation, then we are compelled to maintain, that those who denounce the relation itself, as criminal and inconsistent with christian character, "teach for doctrine the commandments of men, and pervert the oracles of God." We repeat, here is the true issue, and let it be met. The early attempts of the Church, or portions of it, to interfere, so as to disturb the civil and domestic relations between master and slave, are directly condemned by nearly all the principal early and later fathers. Ignatius, Chrysostom, and Jerome especially, denounce the practice as unchristian. Ignatius says, "despise not the slaves, neither suffer them to be puffed up, but to the glory of God let them serve with greater diligence, that they may obtain of God a better liberty. Let them not desire that their liberty be purchased by the Church, lest they fall under the slavery of their passions." And accordingly it was decreed, by one of the ancient councils of the Church—"if any teach, that by virtue of religion or christian instruction, that the slave may despise his master, or may withhold his service, or that he shall not serve his master with good faith and reverence, *let him be anathema.*" Such views of the subject are not offered to show that slavery is not an evil, but to show that it is not, (unless the relation be abused to criminal and unworthy purposes,) evil in the sense and to the extent assumed by a large portion, perhaps the majority of the Methodist Episcopal Church. Where slavery obtains, without being a *civil regulation of the State*, without the sanction of *public law*, as was the case in Massachusetts, from its introduction until put down by the Judiciary, our reasoning does not, and is not intended to apply. If evil be applied to slavery in the Discipline of the Methodist Episcopal Church, in the sense in which it is applied to drunkenness, profaneness, &c., as contended by some of our General Conference organs, then the Church has deliberately connived at vice and ungodliness, in both the ministry and membership, for the last half century and more, and must be looked upon as not less guilty and degraded, than she would have been, had she allowed her ministers and members to be drunkards, swearers, and Sabbath breakers. If this be so, the Church has been dishonest and unprincipled, in every period of her history, and those holding such an opinion, to be consistent, can only award her the curse of Heaven, and the scorn of christendom. The term evil, however, in the Discipline,

is used in no such sense. Such a construction would not only prove the Methodist Church unworthy of confidence, but the great head of the Church general, Prophets and Apostles, the Scriptures of the Old and New Testaments, the principal fathers and writers of the Church, since the days of inspiration, would be equally included in the condemnation; for we have seen that all these have steadily and formally recognized the state and relations of slavery, even perpetual hereditary slavery, and have specifically legislated and given direction, not for its overthrow, but for the regulation of the duties and obligations arising out of such state and relations. Taking the slavery of the United States, and certainly we have proved it to be such, as a long established civil regulation of jural origin, interwoven with all the successive forms of government, and the very structure of society, unless it can be shown to be inconsistent with the word of God, and so forbidden to the christian, we maintain that any authoritative interference with the relation by the Church, is a usurpation of right that ought to be resisted. We have seen at length and undeniably, that the judgment of our chief pastors, the Bishops, as given at different times, and fully sustained by repeated and formal declarations of the General Conference, directly rejects the supposition that the relation in itself is disallowed by the word of God, and therefore sinful. All the Bishops jointly, Bishop Hedding, Dr. Bangs, two successive General Conferences, and other authorities, have been adduced to show that since the early abolition of the Methodists in the United States, this has never been the doctrine of the Church. In matters of conscience she has, by her own official avowal, no right to legislate, except what she derives from the Bible.—*See Dr. Emory's report in* 1828. Whence her right then to denounce as morally wrong, a civil relation, recognized and tolerated in the Jewish and Christian Scriptures? The recent General Conference declared the slavery question to be one of conscience, and as the subject is discussed in the Bible, which we receive as "the *only* and sufficient rule of faith and practice," we ask for the warrant of the Majority in taking the stand they have on this subject. One of two things we claim, in the abused name of God and his word:—either furnish the warrant we call for or treat us on this subject as we are treated by the Bible and its author. We do not mean to say that the Bible favors slavery, or that slavery is not an evil; what we insist upon is, that the Bible treats it as a jural arrangement in human governments, which the Church has no right to assail or disturb, beyond proper efforts to bring master and slave into the fold of Christ, and urge upon both the faithful performance of their relative duties, that in this way, principle and conviction may operate their appropriate results. This was God's ancient method in the Patriarchal and Jewish ages, and that of Christ and his Apostles under the new dispensation, and we insist it will be found to be the only efficient means for the extirpation of the evil. Beyond this the Bible is neither *for* nor *against* slavery. There is no *pro-slavery*—no *anti-slavery* in it. The relation is recognized and its duties clearly pointed out, and at the same time all abuse of the relation is denounced as sin and punished accordingly. Whatever the zeal and fanaticism of modern enlightenment may decree or say, no other method of treatment is found in the Bible or authorized by its ethics. Having in various forms brought the subject to the notice of the Church, as requiring his interposition, why is God not permitted to express his own will, and explain his own law and purposes? Sacredly pledged to abide by these, as found in the Scriptures, have or have not the high engagements of the Church been broken in connection with the facts brought to notice in this Review? How the legislation of the Church has been treated, we have seen in extenso. Can further proof be needed to show that civil law has been declared, in effect, null and *void, in its assertion* of the rights of citizenship? In the case of Bishop Andrew, for

example, his personal rights as a citizen of Georgia, are legislated away by the summary process of resolution. With no law of the Church to authorize it, as themselves admit, the Majority place the character and conscience of Bishop Andrew in the keeping of a party jurisdiction, extra-territorial with regard to the entire South; and this too, although every citizen of the United States, as we have seen, is as much bound to protect the right in question, as any other guarantied by the constitution. Indeed, organized as the States are, under the federal compact, the whole anti-slavery movement is an aggressive interference with the civil arrangements of the country. It is a political trespass, and so far as the Church is involved, it is such ostensibly for religious purposes, and must come under the condemnation of the late Ohio Conference, in its denunciation of "politico-religious" movements of whatever kind, for certainly the one before us is of this character, with all the vengeance of ample proof and illustration.

The Protest assumes, that the constitution of the Methodist Episcopal Church has been violated in the proceedings against Bishop Andrew, and it will at least be necessary to show what was meant by the assumption. We reject, and always have, as absurd and utterly untenable, the position, that the "restrictive articles" are the constitution of the Church, in any allowable sense. The very proposition appended to the articles, is sufficient without any thing else, to overthrow the pretension. Very little discernment is necessary, to see at once, that no government is established by these articles; they do not pretend to establish one, and of course, of necessity, cannot be a constitution, for all admit that a constitution is that which establishes and constitutes a government. *That* is intended, and *those* things especially included, without which the government could not exist, and every one perceives that such views do not and cannot apply to the restrictive articles. These articles do not create, nor do they constitute the government, and therefore cannot be the constitution. They do not, nor can they be made, even constructively, to include the fundamental principles of the government. There are other principles of government not found in them, and to which they do not allude, equally elementary, equally essential to the very existence of the government. A constitution, further, means the *form* in which the *governing power* is exercised. Such form, however, is not found in the restrictions, except in part, and as all know, to a very limited extent. The restrictive articles are a part of the constitution of the Methodist Episcopal Church, and a small part only. They were not originally intended or thought of as *the* constitution of the Church, although undoubtedly designed to be of constitutional force, and such force we distinctly claim for them. They are properly an amendment or addition to the constitution, adopted and engrafted upon it, long after the Church had a constitution as truly and properly as now. While, therefore, the restrictive articles are a part of the constitution, they are not the constitution proper, any more than any other important section of the Discipline. As technically understood and applied, in the political jurisprudence of the United States, the Methodist Episcopal Church is without a constitution. We have a constitution, however, as certainly as the United States have, resembling, it is true, the English constitution in its origin and structure, much more than that of our own country, consisting mainly, as does the British constitution, of declaratory acts, statutes, rules, and regulations, together with construction, precedent, and usage, as the means of compact, union, and action, and thus forming a body of law, which is in fact our only constitution. In a word, our only constitution is our book of statutes, rules, and regulations—the Discipline of the Church. All these, essential either to the existence of the government or to secure the ends of its institution, are of constitutional force and validity, and by consequence parts of the constitution. The Itinerancy is confessedly more essential to

the existence and government of the Methodist Episcopal Church, than any other principle or arrangement belonging to it, and yet the restrictive articles do not allude to it, except as it regards Bishops alone. The forms of ordination, as it relates to *three orders or grades* of the ministry, originally received from Wesley, as not only valid and sufficient, but always regarded as essential to the very existence of the ministry, and of course the Church, must be considered as a constitutional arrangement, and an undoubted part of the constitution; yet these are not secured in the restrictions, except by implication perhaps, in the case of Bishops. Class meetings too, although not of Divine obligation, connect with a vitally constitutional principle in the government, as with these originates the ministry, and without them, with our present form of government, we could have no ministry of any kind. The class meeting system, therefore, is a constitutional arrangement, beyond doubt, although not covered by the restrictive rules. The Annual Conference system, without which the whole machinery of Methodism, would become extinct, will always be looked upon as a fundamental element of the very structure of our government, and yet it is not protected by the restrictive articles. The same is true of the Quarterly Meeting system, apart from which our whole executive administration would be something entirely different from what it is, and it can, therefore, be regarded in no other light than as a part of the constitution, and yet the restrictions imposed upon the delegated General Conference, have no reference to this any more than to the other great constitutional arrangements to which we have called attention. The General Conference also comes in with its powers and limitations, as a constitutional arrangement, but the restrictions upon it are no more *the* constitution, than any one of the constitutional powers or arrangements we have enumerated in the general system.

The General Conference was created and established by the Annual Conferences, (with the consent and approval of the Episcopacy,) as the organ of their action, jointly and in common. Not transcending the limits of its powers, its action is, of course, constitutional and binding; but exceeding these limits, its action is at once unconstitutional, not binding, and ought to be resisted. Attempting the exercise of power not delegated, it ceases to be the organ of the Annual Conferences, is from under the protection of the constitution, and loses all right of control. All the *powers* of the General Conference originated, pre-existed, and were exercised before the existence of the General Conference, and are, in no primary sense, traceable to it. Episcopacy too, with all its present powers, had long existed and operated its functions, as now, before General Conferences were thought of. The Episcopacy is not of General Conference origin, in any sense. All the General Conferences, from 1792 to 1844, could not have given it the character claimed for it, by our principal writers on the subject. It had full and effective existence, and constitutional force and validity, before the General Conference, which now assumes to have created it, had any existence at all. It preceded even the Eldership. It was the Episcopacy and Eldership in conjunction, as a constituent body, that created the General Conference, and imposed upon it the restrictive rules, now forming a part, and but a very small part, of the constitution. These are, in no sense, self-imposed restrictions, as absurdly supposed by some. They were imposed by those giving birth and power to the delegated General Conference, and without whose *authority* it could not have been. The Episcopal office was created, and Dr. Coke officially placed in its incumbency, by the only authority having any right to act, before any *Church* existed in the United States. In the Methodist Episcopal Church, the Bishop was the first grade of the ministry adopted. There was no Elder—no Deacon. The Laity had nothing to do with it. They had merely,

through their Lay Preachers, petitioned Mr. Wesley for Elders and Deacons. The Episcopacy was the first formative element or principle in the organization of the Church. It was the primal arrangement, around which all others clustered and settled into order and symmetry. It was by an authority antecedent and superior to the General Conference, that the Bishop was created President, and head of that body, which he could not be without belonging to it. His right of Headship and Presidency is not derived from the General Conference in any way. He is not indebted to the General Conference for his *position* there. His being there is not by concession of that body. As the general rule, his Presidency is one of the conditions of the existence of the body. He is there by appointment of the constitution, to preside and oversee. Even when there, as President, he is not the officer of the Conference in the sense contended for. It is not for them to elect whether he shall be there or not. He is the officer of the constitution—the Church, and without an abuse of right—of privilege; the General Conference cannot even object, constitutionally, much less remove him, and then only by regular adjudication, for improper conduct, by an appeal to law and evidence. The right of trial by committee, and of appeal, under circumstances affording full and fair opportunity of defence, is another constitutional principle of Methodist polity, existing prior to, and independently of, the General Conference, and applies to all ministers and members of the Methodist Episcopal Church, and to a Bishop, (if he be a minister,) not less than others. Nor is there anything in the discipline opposed to this. The answer to question 4, section 4, is simply declaratory of the amenability of the Bishop to the General Conference, and the right of the Conference to try and determine in the case; but the *mode* of trial is determined by the *constitution*, to be *by committee*, and as the case comes of course before the General Conference, it is virtually an appeal. The real difficulty is defective legislation; no statute exists to carry out the *provision* of the constitution, which expressly declares that *no minister* shall be deprived of trial by committee. When a Bishop is charged or arraigned at a General Conference, not to violate the constitution, he should be tried by a committee of *his peers*, and then let the Conference decide. I know no statute requires this, and it is equally true that none forbids it; and as it is explicitly *exacted* by the constitution, trial, without the intervention of a committee, is a violation of that instrument, and would be equally unconstitutional, were it authorized by statute, for, in either case, it is doing what the constitution says the General Conference shall have no power to do, in the case of *any* minister, preacher, or member.

The tenure by which the Bishop holds office, before and since the adoption of the restrictive rules, is distinctly, in the articles themselves, recognized as of constitutional force; and any course of legislation or judical action, any declaratory act of the General Conference, in any way tending to *unsettle* such tenure, placing it, for example, under the control of a mere majority of the General Conference, instead of the constitution, and thus depriving the Executive Department of its intended vigor and stability, is in violation of a plain constitutional provision of the Discipline.

The Articles of Religion are, also, an important and prominent part of the constitution. The 5th of these teaches, that what is not taught in the Bible, is not essential to christianity, in theory or practice; any conduct, therefore, not required or forbidden in the word of God, unless it be so required or forbidden by some other part of the conventional compact, existing as the constitution of the Church, cannot be made the condition of eligibility, either as it regards membership or office, on the part of the laity or ministry, without the violation, alledged in the preceding cases. No such requirement or prohibition can be shown in the case of Bishop Andrew, and hence the infer-

ence of the Protest, as to the unconstitutionality of the proceedings against him. The 23d article, as explained by the General Conference, expressly enforces subjection and deference—peaceable submission to all civil authority; requires the use of all laudable means to secure obedience to "the powers that be," and requires all to conduct as quiet and orderly citizens and subjects. The Constitution of the United States, the National Legislature, and the highest judicial tribunals of the country, have decided that slavery is a civil relation, created by law, and subject *only*, under federal protection, to the control of the States in which it exists. The same authority deprives, (with his own consent, in the federal compact,) every citizen of the United States of any right to interfere with this relation. Beside, in the State of Georgia, the Legislature alone has power to free a slave, and for a long term of years, has uniformly refused to do so, on any account. The General Conference require Bishop Andrew to do what they know could only be done by the Legislature of the State; and declare him unfit for a Christian Bishop, for sustaining a civil relation created by law, without any agency of his, and which he cannot dissolve, if he would. Such conduct, the Protest assumes, is in direct conflict with the duties of citizenship, pledged in the article in question, and is directly calculated, if not intended, to generate and cherish contempt and disaffection for the national constitution, as well as the constitutions and laws of nearly one half the States of the confederacy; and thus, by how far it may prevail, preparing the way for the disunion of the States and the overthrow of the government. The 21st article says, "it is lawful for a minister, as for all other christians, to marry at their own discretion, as *they* shall judge the same to serve best to godliness." Being the owner of slaves already, by the avoidless operation of law, for marrying a lady possessed of slaves, an act allowed as above, and not elsewhere prohibited, by any law of Heaven or earth, Bishop Andrew is directed to desist from the exercise of his Episcopal functions. Was not this requirement in violation of a right secured to Bishop Andrew by the constitution of the Church? The "general rule" on slavery is admitted, on all hands, to be a part of the constitution since 1808. The intention of the rule was to declare the disapproval and opposition of the church to the slave trade, and the system of slavery as consequent upon it. This rule, by the 4th restrictive article, cannot be revoked or changed by the General Conference. It is not only not competent for the Conference to revoke, but they cannot alter it so as to change its character, or make it different in its bearings and application. Any statutory regulations, therefore, on the subject of slavery, must, by constitutional restraint, be merely expository of the purpose and intention of the general rule; for, going beyond this, would be to change it, and would, of course, infringe the constitution. Any legislation *contrary* to the rule, would be in effect to *revoke* it. Any *coming short* or *transcending it*, in range and application, would be, actually, in every practical sense, to *change* it. All the legislation we have had then, since 1789, and especially since 1808, when the restriction was imposed on the General Conference, can only be considered as a statutory exposition of this rule; and every deviation from it, if any, has been an unconstitutional meddling with the subject. The rule, too, is a "general" one, that is, applies to all—to Bishops even, as all will admit. Indeed, no incredulity can doubt, no ingenuity evade the conclusion. If, then, the general rule apply to Bishops, how does it happen that the statutory exposition of it makes an exception of them? The very supposition exposes its own absurdity. And it follows, hence, that the *whole law* of slavery must apply to Bishops as to other grades of the ministry. This is the position of the Protest. Here then is the law, and let Bishop Andrew be tried by it. If it appear that he has bought sold, or enslaved, man, woman, or child, let him be punished. If he be a slave holder

as a citizen of Georgia, and the laws of the State admit of emancipation, and allow the liberated slave to enjoy freedom, he is liable to arrest, and let the punishment follow. But should the facts negative both suppositions, as is elsewhere demonstrated, then *the law gives no right* to touch him, and to do so, is a violation of the constitution. I maintain, therefore, that it follows, irresistibly, that the proceedings of the late General Conference, in Bishop Andrew's case, were a direct and gross violation of the constitution and laws of the Church, and that the minority had a right to declare them null and void. On the subject of such right, under the circumstances in proof, Chief Justice Marshall says, "a legislative act, contrary to the constitution, *is not a law*.. An act of the Legislature repugnant to the constitution, *is void*." He adds, "this theory is essentially attached to written constitutions, and is to be considered as one of the fundamental principles of society;" and its application to judicial and executive acts, must be equally apparent.

Bishop Andrew become the owner of slaves by compulsion of law, without any will or consent of his own, entirely apart from his marriage. That I might not be in error on this subject, I applied, through a friend, to two distinguished Jurists of Georgia, for the law of the State—the whole law relating to the emancipation of slaves, and subjoin their reply:—

"*Laws of Georgia in reference to the manumission of Slaves.*—1801: Section 1.—From and after the passing of this act, it *shall not be lawful* for *any* person or persons to manumit, or set free, any negro slave or slaves, any mulatto or mustigo, or any other person or persons of color, who may be deemed slaves at the time of the passing of this act, in any *other* manner or form, than by an application to the *Legislature* for that purpose." 1818: Section 4.—"All and every *will, testament, deed,* whether by way of *trust,* or *otherwise, contract, agreement,* or *stipulation,* or *other* instrument, in *writing,* or by *parol,* made and executed for the purpose of effecting, or endeavoring to effect, the manumission of any slave or slaves, either *directly,* by conferring, or attempting to confer freedom on such slave or slaves, or *indirectly* or virtually, by allowing and securing, or attempting to allow and secure, to such slave or slaves, the right or privilege of working for his or her benefit, or themselves free from the control of the master or owner of such slave or slaves, or of enjoying the profit of his, her or their labor or skill, *shall be, and the same are hereby, declared to be null and void.*" The law then proceeds to declare that any person *attempting* to manumit, or being *in any way* concerned in the attempt, shall be *subject to a penalty* not exceeding one thousand dollars; and the slaves *attempted* to be made free, shall be sold at *public outcry.*

"GEORGIA, *Richmond county.*—We, the undersigned, members of the Augusta Bar, hereby certify that the aforegoing are true extracts from the Acts of the Legislature, *now in force,* relative to the emancipation of slaves. The general policy of the Legislature of Georgia, relative to passing acts of emancipation, on application of particular individuals, is *decidedly against it.* We have known *many* instances in which it was refused, and but *two* in which it was granted, under *very peculiar* circumstances. We have *never* known an instance in which legislative emancipation was granted to a man's slaves *generally.* We have also known applications refused under very strong appeals.

WM. W. HOLT,
CHARLES J. JENKINS.

29th JULY, 1844."

This will, perhaps, place at rest the suspicion attempted to be excited by the Reply, and some of the Northern Church Papers, that the laws of Georgia did not render emancipation as impracticable as was assumed by the friends of Bishop Andrew. The law of Maryland, as explained and attested by the Hon. Mr. Merrick, of the United

States Senate, and Judge Key, placed it equally out of the power of Mr. Harding, (the Baltimore Conference, to manumit the slaves of his wife, and yet, the majority (the General Conference *required* both Bishop Andrew and Mr. Harding to do what th municipal laws of Georgia and Maryland forbid; that is, the Church required thes men to perform unlawful acts—required them to commit the sin and brave the penal ties of a civil trespass to secure the favor of the Church, and actually punished both fo not doing it. If emancipation be practicable in Maryland, in the sense of the Discip line, that is, *legally*, and at the same time permitting the liberated slave to enjoy free dom in the State, why did the Representative of the Baltimore Conference, in the ap peal case of Harding, avow, in behalf of the Conference, that they did not intend to b governed by the laws of Maryland on the subject of slavery? And why was it avowed by another member of the Baltimore Delegation, that the law could be violated with impunity, and that, therefore, it ought to be resisted? Why, too, was it so much in sisted upon, that Harding might have freed his wife's slaves by removal from th State? These facts would not be noticed, but for the much more important one, tha the doctrine and conduct in question were endorsed by the majority of the General Con ference, and ecclesiastical law thus brought, as charged in the Protest, in direct con flict with the laws of the land. Ecclesiastical was claimed to be above, to supersede and virtually abrogate civil law; and it is but too true, that language to this effect has, to a fearful extent, become the vulgar tongue of a large portion of Northern Metho dism on the subject of Slavery. The position was avowed, and gloried in, that no slave-owning citizen of Georgia, or any other State whose laws are similar, can be a Bishop of the Methodist Episcopal Church, without an act constituting a *penal offence* against the laws of the State to which he owes allegiance. He is required to violate or evade civil law, as the only condition upon which he can be permitted to exercise the functions of a Bishop. The office is declared to be incompatible with the obliga tions of citizenship in some twelve of the Southern States. He is *disfranchised*, be cause, as a citizen, he cannot do what the Church requires. In other words, the Church assumes to have an officer who shall be exempt from the operation of the law of the State in which he lives, or else, no citizen of that State is eligible to the office. Can the South be expected to submit to this?

It may be necessary to notice, briefly, the *denial* of the Manifesto, that the law of slavery applies to Bishops. The majority think the *law* cannot apply to Bishops, be cause the *mode of trial* is not the same as in the case of other Traveling Preachers. The same reasoning would exempt another class in like manner, as the mode of trial is not the same in the cases of Traveling and Local Preachers; therefore the law of slavery cannot apply to Local Preachers, as they are not named any more than Bish ops. With regard to the trifling salary regulation of 1836, unless the General Con ference regarded Bishops as *Traveling Preachers proper*, they violated the plain letter of the constitution, in allowing them any salary at all. According to Doctors Durbin, Peck and Elliott, every dollar appropriated to the Bishops, since 1808, is an open abuse of a plain constitutional trust, respecting the proceeds of the Book Concern and Char tered Fund; such allowance, as all know, being restricted to Traveling Preachers only But further, the customary phrase in the Discipline, "Traveling Preachers," is, ever where and uniformly used, to distinguish the *itinerant* from the *local* ministry, and fo no other purpose. Bishops must belong to one or the other, and if to the itinerar class, as they are no where excepted, the law of slavery must apply to them; and i not, as slave holding in the ministry is regulated by law, then slavery in the Episcop *cy cannot* be considered as a trespass of any kind, and the doctrine of the Protest

fully sustained by one of the principal postulates of the Reply. Unless Bishops are included under the phrase "Traveling Preachers," they are excluded from our pulpits, so far as *right* is concerned, by the very terms of our Deed of Settlement. It is recklessly affirmed in the Reply, that in the Discipline, "special provision is made in the case of Local and Traveling Preachers." This statement is utterly unfounded: not only are Local Preachers not named in the section on slavery, but they are not alluded to at all, except by a construction which *must inevitably* include Bishops. If the phrase "official station," be construed, as it certainly should, to include them, when they aspire to ordination, &c., so, also, does it, of necessity, include Bishops. If Bishops hold "official stations," the law of slavery must apply to them. The Reply makes the discovery, that the section on slavery applies *only* to *officers* of the Church. Turn now to a Bishop:—Is he an officer of the Church, holding "official station?" and if so, as all must see at once, the law of slavery must apply to him, and he be protected by it, so far as it may be intended to afford protection in any instance. This single admission sets aside the denial of the Reply as absurd and self-contradictory. But again, in view of the "special provision" of the Reply for Local Preachers, which, as we have seen, covers equally the case of Bishops, with what show of fairness can the Repliers deny, as they do, the assumption of the Protest, that we have express law, covering the case of Bishop Andrew? What is the difference between "express law" and "special provision?" The Reply explicitly admits, what elsewhere it most laboriously denies, that the law of slavery does apply to Bishops. It urges, for example, that Bishop Andrew, by a deed of trust, placed it out of his power to do what, by a change of the law of Georgia, the Discipline would 'imperatively' demand, and a 'standing law' of the Church require! Now, unless this be regarded as a full and unequivocal admission, that the law of slavery applies to Bishops, and covers the case of Bishop Andrew, not only is the reasoning absurd, but the whole passage devoid of sense; and we thus demonstrate that the adverse position of the Reply, overthrown by these fatal concessions, must have been resorted to to meet an emergency. If the Bishops are excluded from subjection to the law of slavery, because not named, then are they equally excluded in the instance of many of the most important laws of the Church, as in many of its most cardinal regulations they are not named at all. In one of their official addresses, the Bishops speak of themselves and their work as constituting a "department of the traveling ministry." The majority labored long and hard, at the last General Conference, to show that slavery is a moral question—a question of conscience. Dr. Emory, in his celebrated report in 1828, says, that *all the moral laws* of Methodism apply to Bishops as truly as to any other portion of the Church; and yet we are told the law of slavery does not include them. They maintained a Bishop is not a Traveling Preacher in the sense of the Discipline, and yet, if even deposed as a Bishop, he would still be a Traveling Elder in good standing! Not belonging to any Conference in the United States or elsewhere, where would be his place, and what his rights, as a Traveling Preacher? What Conference could have claimed him? What Bishop would have dared to give him an appointment? Or, acting upon Bishop Hamline's suggestion, would the General Conference have been so obliging as to exercise the rights of an Annual Conference, and the appointing power of the Episcopacy, in addition, and so taken care that he had both place and work as a Traveling Preacher? This whole attempt to deprive Bishops of the *protection*, and yet subject them to the *restraints* of the law of slavery, must strike all as extraordinary, to say the least of it, and we are compelled to think, that but for the good fortune of such folly, (as it seems to us,) in having able supporters, its success would be slender *indeed*. In the General Conference's plan of division, adopted

only two days before the date of the Reply, it is said, "Ministers, local and traveling, of *every grade and office*, in the Methodist Episcopal Church, may," &c. And this form of expression all admit was intended to include Bishops, not less than other ministers; and proofs to the same effect might be multiplied to almost any extent, but it cannot be necessary.

We are often reminded that the middle or umpire Conferences will protect the South. We have grave reasons for believing that these Conferences, unless utterly misrepresented in the last General Conference, are in alliance with abolitionism, so far as may be necessary to carry out the purposes indicated by the action of that body on the subject of slavery. On every question before that body, involving Southern interest, they went almost *en masse* with the abolitionists. They supported the abolition measure to rescind the law prohibiting colored testimony against white persons, where it was not allowed in civil proceedings, and thus placed ecclesiastical, in conflict with civil right, in all the slave holding States. The middle, or anti-slavery party, went with the abolitionists in Harding's case. They were side by side and shoulder to shoulder against Bishop Andrew. They acted together in the election of one of the new Bishops. They were one in resisting the proposition of the Bishops, and the whole South, to appeal the case of Bishop Andrew to the Annual Conferences and the Church. They acted with the abolitionists in the avowal of a principle unknown to law, and disavowed by a preceding General Conference, as we have proved, that connection with slavery, even under circumstances expressly excepted by the law, disqualifies a minister for the Episcopal office. They did all this and more. And, connected with the last item, they failed either to say, or let it be understood, that an abolitionist could not be elected Bishop. And yet we are called upon to confide our interests to the care of these Conferences. If they did not intend a coalition with the abolitionists, why did they not express disapproval of the almost innumerable abolition petitions, demanding that *all* slave holders be separated from the Church? Why was it the South could get no report upon these petitions—for or against the objects prayed for? The reply avows that these petitions were a *reason of action* against Bishop Andrew. Why not reported on then, and new legislation had? Do the majority intend to proclaim the fact, that they were governed by petitions and party interests, rather than law? Beside, why be governed by a few petitions, as to slavery in the Episcopacy, and pay no attention to the *many*, praying that slavery be separated from the Church in all its parts and relations? In a word, these and similar demonstrations satisfied the South that anti-slavery and abolition will never pause until the South shall refuse submission, or be trodden under foot.

It is distinctly premised in the Reply, that anti-slavery and abolition principles and feelings, in the North, are far *in advance of law*, and the petitions presented, as well as the debates and action at the last General Conference, prove it; and being urged as the grand reason of action, does not the Reply *avow*, what the Protest *charges*, an extra judicial procedure, going beyond law to accomplish ulterior purposes? The petitions, too, and the agitation, by Methodist Preachers, in which, to a great extent, they had their origin, were in direct violation of the advice and authority of the two preceding General Conferences, as we have shown, and the action of the last General Conference dishonoring, as we have further shown, the assurances of the same body in 1836 and 1840. The South, on these accounts, was the less inclined to believe that the umpire Conferences could be any longer relied upon, as likely to pursue a medium, compromise course, as settled by the law of the Church. Unprotected by the pledge of public law, upon what can we rely for the security of our rights? What is our safety, *as a minority*? We can only judge the future from the past; and what hope of in-

demnity is afforded by the review? The conviction is general in the South, that while we remain a mere minority, as now, the evil is without remedy.

On all the great interests of the main question, there is no division of public opinion and feeling, except as individual cases usually form exceptions to general rules. These exceptions, it is believed, are not understood North, either as it regards the political or religious aspects of the question. In the pending controversy in the Methodist Church, small portions of the ministry and membership, in border sections South, have manifested an ill-disguised inclination, if not purpose, so to adjust themselves to any emergency ahead, that it will be an easy matter to find themselves, or be found, wherever the greatest indemnity of circumstances may happen to present the only attraction they are likely to yield to. Another portion, small, it is believed, have been misled by the false issues so constantly and plausibly kept before them; and still another portion is met with, whose affinities are entirely northern. From the manner in which these several classes have reported themselves, it has been inferred North, as assumed here, that State policy and public popular conviction can be so controlled in Kentucky, Missouri, Virginia, and Maryland, as to favor the views and movements of the North on this subject. Those who affect to think so, however, have entirely miscalculated, and we greatly fear that it will be found necessary, in these States, to resist such a state of things, under the impulse of reasons much stronger than the abstractions of Church casuistry. It is believed that the opinions of Southern Methodism, on the subject of slavery, type pretty fairly the opinions of general society, including those who *do*, and *those who do not* hold slaves. Southern Methodists, (with exceptions as above,) maintain that no abstract principle can become a rule of action without regard to circumstances. Here the North and South divide on the subject of slavery. That slavery is an evil, is admitted on all hands. The South maintains, however, that circumstances, obviously Providential, and not subject to the control of the actor or agent, so modify the question that the abstract wrong in the case ceases to be a correct principle of judgment, and the real morality of slavery can only be judged of correctly, in view of circumstances which may either *increase* or *mitigate* the evil, and gives it, in fact, its only proper moral character. By this rule we are always willing to be judged. The reasoning of the Reply admits the majority acted without the warrant of law in Bishop Andrew's case, and it was this defection and trespass, as indicating the general position of the North, which stirred the South to resistance. The majority required not merely what they knew to be *legally* impracticable, but what they knew to be *contrary* to law, and a *penal* offence. They said, in terms which cannot be misunderstood where the English language is known, that Bishop Andrew, as a citizen of Georgia, must violate the obligations of citizenship in that State, or cease to be a Bishop of the Methodist Episcopal Church. They required of him an act unlawful in itself, in the State of his residence, and did it while a plain law of the Church gave public and formal assurance *it should not be done*. The Reply further, in the whole tenor of its argument, admits that Bishop Andrew became "unacceptable" to the North, without having violated any law or rule of the Church. It will certainly be admitted that a Bishop holds office according to rule and law regulating the conduct and duties of a Bishop. If, then, Bishop Andrew had not infringed these, which is not assumed, and yet had become unacceptable to the North, does it not show that the requirements of the North went beond law, and exacted, as the condition of acceptability, what the law did not require? was against such injustice the South protested, and will always defend herself.

A very large proportion of the Minority of the South, in the late General Conference, ve no connection *with slavery, and so far as* it may depend upon themselves, never ex-

and adds that he was "the only looser in a pecuniary point of view." The Dr. does not say that he gave freedom to these slaves; there is no allusion to any such fact, unless it may be inferred from the Dr's. consciousness of wrong, and the order to remove the slaves from the plantation. In the absence of evidence, however, I take it for granted the Dr. freed them, although it would be much more satisfactory to many no doubt, to *know* that he did. I introduce this historical fact, about the truth of which no one can doubt, merely to show that the paraded assumption of the Reply, our Northern Journals, and the North generally, that no Bishop of the Methodist Episcopal Church has ever had any connection with slavery, except Bishop Andrew, is not true, and by consequence, that the argument and action of the Majority, based upon it, fall to the ground, as it is incontestably certain, that the first Bishop of the Methodist Episcopal Church was a slave holder by voluntary purchase, and not as Bishop Andrew, by the unavoidable control of circumstances. All that has been said, therefore, about the law of usage, invariable custom, &c. as excluding slavery from the Episcopacy not being true, is of course entirely inapplicable, and were it true, would be equally so. Lord Bacon lays it down as an incontrovertible principle of law and morals: "In all true judgment, there is a very great difference between an usage, to prove a thing lawful, and a non-usage to prove it unlawful." The difference is, the first *may* be legitimate proof, whereas the second is always preposterous. And yet it ranks as a principal argument against the Protest of the South. Because it is true, in the instance of all the Presidents of the United States from the North, that no one has been re-elected, therefore it is a settled principle of the government, that a Northern President can serve but for four years—a single term. Because it is equally true, that all the Southern Presidents have served the double term of eight years, therefore, it is a settled principle of the government that all Southern Presidents shall be re-elected. By the logic of our Northern friends, no one can question the validity of the claim or the soundness of the demonstration!

The attempt to show that the North has conceded to the South, in the election of Southern men as Bishops, is too absurd to require more than a brief notice. Dividing by Conference lines, giving Baltimore to the North, with which she has always acted, until she divided on the question now agitating the Church, we have had but two Southern Bishops, McKendree and Andrew. The first three Bishops of the Church were foreigners—English abolitionists of the school of Sharpe and Clarkson. Bishop George was from the Baltimore Conference, North. Roberts, Soule, Hedding, Fisk, Morris, Waugh, Hamline, and Janes, were elected as Northern men. McKendree was elected without reference to the slave question. Bishop Andrew's election, by Northern votes, was not a concession to the South. The circumstances under which Bishop Andrew was elected, have been utterly misrepresented. As was perfectly natural, the Southern delegates in 1832, were anxious that one of the Bishops to be elected, should be from the South. It so happened, however, (without any reference to slavery,) that the only individuals upon whom the Southern delegates could generally unite, were in fact, slave holders, and as the Northern majority were not backward to let it be known, that no slave holder could be elected, the Southern delegates determined to have no candidate, and allow the majority to select the men they might prefer. They selected J. O. Andrew as one, knowing he was not the choice of the South, and that they were not gratifying the Southern delegates, (except a few,) in doing so. It was the avowed policy of the North, to elect a Southern man, that there might be no apparent ground of complaint from the South, and yet to accomplish their own purposes in the exclusion of *the men preferred by the South*, who happened to be the owners of slaves. The North

its letter and purpose, and extra-legal in every respect in which it can be looked at. Can Methodism exist South, when it requires Southern ministers to expatriate themselves in order to secure the favor and protection of the Church? How many Southern ministers will avail themselves of such an obliging *overture*, we have no means of deciding. To the charge made in form and variously insinuated in high places at the North, that the Southern ministry of the Methodist Episcopal Church are pro-slavery in principle and practice, and that they promote and uphold the system from the love of it; that in this respect they are not Methodists according to the Discipline, and have been trying to innovate, so as to induce the Church to depart from long established landmarks on the subject, we oppose an explicit denial, and pronounce the charge as destitute of truth as it is replete with injustice and outrage. The South has not moved in this matter at any period, except in self defence, when the Church has been disposed to decree, that a civil relation, sanctioned by the supreme authority of the nation, was incompatible with the sanctity of Church relations. The South has uniformly acted in resistance of Northern innovation. And especially has the South been satisfied since the last compromise regulation of 1816, *affranchising* slave holding ministers as it regards all the offices of the Church, in States where emancipation is impracticable. We have sought no change—we wanted none. We asked for none at the late General Conference. We are perfectly satisfied with the law as it is, and as it has been understood and interpreted both by the General Conference and the executive department up to 1844. We do object, however, and we never will submit to the construction put upon the law at the last General Conference. The Majority of that body changed the law essentially, by giving it a constructive application unknown in the whole range of its administration; and the practical effect is new legislation on the subject of slavery, in direct conflict with existing law, as explained by the General Conference, assuming, among other things, that no owner of slaves, under any circumstances, however providential, and whatever the laws of the State may be, can hold or exercise the office of Bishop in the Methodist Episcopal Church. This proposition of the Majority misrepresents the law, and disfranchises in terms, every slave holding minister in the South, and in fact *all* absolutely, as all are liable, without any agency of their own, to become the owners of slaves, and emancipation is no where practicable, except in two or three of the States, contingently. This decision of the General Conference the South will not submit to, because they cannot do so without self destruction. The South could not, without ruin, and will not from principle, submit to the inequality of right in the ministry, North and South, assumed and attempted to be established, both by General Conference action and in the Reply. We merely claimed the right of equality, on the basis of law, not as enforcable, but simply declared and protected, in the theory of government. While affranchised in law, we were willing to leave it to the Majority to avail themselves, at any time, of the right of franchise, as they saw proper. Enfranchisement, however, by declaratory enactment, with the avowed purpose, as by the late General Conference, of *disfranchisement in fact*, is too gross an outrage on all social equity to be borne by the Southern ministry, and is accordingly resisted with almost perfect unanimity.

In relation to the charge brought against the Southern Methodist Ministry, that they are the supporters and promoters of slavery, although found in the Northern General Conference papers, we are by no means anxious, beyond the extent to which it compels us, to ascribe the charge to improper motives, on the part of those who make it. We are perfectly willing to be compared with those who thus defame us, at any time. Appealing to what *we have done*, and are doing for the slave, we are prepared to abid

offensive and out of character, that the Christian Advocate and Journal vindicated the claim of the South as clear matter of right. (whether expedient to assert it or not,) and rebuked the Northern agitators, as guilty of an obvious outrage upon Southern right and feeling, and informing them at the same time, that they could not sustain their position before the Church. The conduct of the South, therefore, gravely charged as an offense, in the shape of a daring innovation, was a simple act of self defence against Northern aggression, notoriously committed in defiance of law, and in the face of the whole Church, and the repeated formal attempts to make a contrary impression, injurious to the South, has rendered it necessary to direct attention, both to the misstatement of fact and the manifest injustice of the conclusion, founded upon it. The only force found in the argument, recoils upon the North, as every one will perceive by barely looking at it.

As having a direct bearing upon this whole controversy, it is important to notice, that the rights of the ministry, as affected by simple slave holding, in States where emancipation is not practicable, having been brought by *memorial* from Westmoreland, Virginia, before two General Conferences successively, those of 1836 and 1840; the latter decided, that "the Discipline of the Church having provided for the ordination of ministers thus circumstanced, the course pursued by the Baltimore Conference, (within whose limits Westmoreland is found,) operates an *abridgement of right*, and therefore, furnishes *just ground* of complaint. It is a *departure* from the plain intendment of law in the case, and a *violation*, not less of *express compact* than of social justice, to withhold ordination for *reasons* which the provisions of the law plainly declare are *not* to be considered as a *forfeiture* of right." Here the General Conference style the law on slavery an *express compact*, and by various forms of proof, we have shown, that it was a compromise as truly as a compact. But this by the way. The decision from which we quote, adds, "attaching themselves to the Church, as citizens of Virginia, where in the obvious sense of the Discipline, emancipation *is impracticable*, the holding of slaves, or failure to emancipate them, cannot be plead in bar to the *right* of ordination. The Church has *failed* to redeem the pledge of *its own laws*, by refusing or failing to promote to office, ministers in whose case *no disability* attaches on the ground of slavery. The *exception* in the Discipline is, therefore, strictly applicable to all ministers and members of the Methodist Episcopal Church, holding slaves in Virginia, and they appear clearly *entitled* to the benefit of the rule, made and provided in such cases." The question thus settled by the General Conference, can be misunderstood by no one, and yet the Baltimore Conference has continued to withhold justice from the ministry connected with slavery in this section of Virginia, in violation both of general law and special adjudication, by the General Conference, had upon the law. The Baltimore Conference has found *judicial* security against arraignment for such injustice, in the fact, that that body has so managed, as to be always able to defy proof that ordination was withheld on account of slavery alone, and not for other reasons. How far *the fair*, *the just*, and *the honorable*, connect with the *grounds* of this impunity, in resisting the authority of the General Conference, those interested must determine for themselves. That it is a procedure unwarranted by law, and in violation of its plain provisions, as solemnly adjudicated upon by the General Conference, no one, it is believed, will entertain a doubt. The law and the General Conference have both been set aside. The decision adds, "the petitioners, in accordance with the provisions of the Discipline, whether said provisions be right or wrong, *are entitled to remedy*," and suggests in terms, that a *transfer* to the Virginia Conference, is perhaps, under all the circumstances, the only "conclusive remedy" for the party aggrieved. Whether the portion of the Church in this section of Virginia, will act upon the suggestion of the General

evils, however, of anti-slavery agitation, connect with our civil and political relations as a confederacy of free and slave States. Of these agitators, Mr. Frelinghuysen remarks, they are "seeking to destroy our happy Union." Chancellor Walworth says, "they are contemplating a violation of the rights of property secured by the constitution they are sworn to support, and pursuing measures which must lead to a civil war." The lessons of experience and the warning voice of history are lost upon this class of disturbers. What do they care, that according to a late English journal, a standing army in the West Indies, the most recent example to which they can appeal, is necessary "to stifle the seeds of revolt consequent on achieved slave emancipation." Even the virtuous Clarkson, their own witness, is unheeded by them when he declares that, "the extent to which voluntary emancipation, in view of colonization in Africa, had taken place in the United States, is the most surprising exhibition of human virtue, to be met with in the whole history of negro emancipation."

The boast of the Majority, so much relied upon in the Reply, that the Episcopacy in the whole line of Bishops, from Coke to the present worthy Bench, has never had any connection with slavery, until the unfortunate dereliction of Bishop Andrew, is rather premature. The Rev. Wm. Hammet, of Charleston, South Carolina, and some time missionary in the West Indies, on leaving the Methodist Church and setting up for himself, as a separatist, published, in 1792, a virulent pamphlet against Dr. Coke, and among many other charges enumerated, the most of which are clearly and ably refuted by Dr. Coke, in his answer, he brings to view Dr. Coke's connection with slavery in the island of St. Vincent, alledging that the Dr. had used the Caribb Mission fund, in the purchase of a lot of negroes to work a cotton and coffee plantation, presented by the Colonial Legislature, for the benefit of the mission. Dr. Coke, in his reply, now before me, printed in London 1793, in a very frank and satisfactory manner, disposes of many of the statements and inferences of Mr. Hammet, in reference to this transaction, as incorrect and unjust, but *distinctly and in various forms admits the fact*, that with money he had collected for the Caribb Mission, and funds of his own, he had, at the urgent solicitations of friends, *purchased the slaves as charged*, and had held and worked them as such, upon the cotton division of the mission plantation. The Dr. assigns as the principal reason of this purchase and ownership of slaves, that he could not have the plantation worked to advantage by either free negroes or hired slaves. He says, "in answer to the charge of my purchasing slaves, I shall give an account of the transaction, (the purchase,) with all possible candor. My friends on all sides of me urged, that the present might be considered as an *exempt* case—that the gift of the land was undoubtedly Providential—that the *slaves purchased* for the cultivation of it, would certainly be treated by *us*, in the tenderest manner. These and *other* arguments *prevailed*, and I gave *directions* that a sufficient supply *should be procured* for the cultivation of cotton on the low land." Whatever we may think of it, the missionary zeal of Dr. Coke made him a slave holder, by actual deliberate purchase. This the Dr. avows in explanation of his course. He says further: "I had hardly left the Island, when my established principles began to operate. I considered that no exempt case could justify the proceeding—that we are not to do evil that good may come. The wound continued to deepen in my mind for some months, till I at last wrote from Baltimore to inform our missionary, (Mr. Baxter,) that I could not admit of any slaves upon the estate, on any consideration. Thus I have stated the whole business of the slaves. At the time I acted for the best, and *humanum est errare*." The Dr. repudiates the charge of an abuse of the missionary fund, by stating that out of his own private funds he paid to the mission, an amount *equivalent* to the sum he had used in the purchase of the slaves.

and adds that he was "the only looser in a pecuniary point of view." The Dr. doe say that he gave freedom to these slaves; there is no allusion to any such fact, u it may be inferred from the Dr's. consciousness of wrong, and the order to re the slaves from the plantation. In the absence of evidence, however, I take it for g ed the Dr. freed them, although it would be much more satisfactory to many no d to *know* that he did. I introduce this historical fact, about the truth of which no can doubt, merely to show that the paraded assumption of the Reply, our Nort Journals, and the North generally, that no Bishop of the Methodist Episcopal Ch has ever had any connection with slavery, except Bishop Andrew, is not true, an consequence, that the argument and action of the Majority, based upon it, fall t ground, as it is incontestably certain, that the first Bishop of the Methodist Epis Church was a slave holder by voluntary purchase, and not as Bishop Andrew, by unavoidable control of circumstances. All that has been said, therefore, about the of usage, invariable custom, &c. as excluding slavery from the Episcopacy not l true, is of course entirely inapplicable, and were it true, would be equally so. Bacon lays it down as an incontrovertible principle of law and morals: "In all judgment, there is a very great difference between an usage, to prove a thing lawful a non-usage to prove it unlawful." The difference is, the first *may* be legitimate p whereas the second is always preposterous. And yet it ranks as a principal argu against the Protest of the South. Because it is true, in the instance of all the P dents of the United States from the North, that no one has been re-elected, therefo is a settled principle of the government, that a Northern President can serve bu four years—a single term. Because it is equally true, that all the Southern Presi have served the double term of eight years, therefore, it is a settled principle o government that all Southern Presidents shall be re-elected. By the logic of our N ern friends, no one can question the validity of the claim or the soundness of the monstration!

The attempt to show that the North has conceded to the South, in the electio Southern men as Bishops, is too absurd to require more than a brief notice. Divi by Conference lines, giving Baltimore to the North, with which she has always a until she divided on the question now agitating the Church, we have had but two S ern Bishops, McKendree and Andrew. The first three Bishops of the Church foreigners—English abolitionists of the school of Sharpe and Clarkson. Bishop Ge was from the Baltimore Conference, North. Roberts, Soule, Hedding, Fisk, Mc Waugh, Hamline, and Janes, were elected as Northern men. McKendree was el without reference to the slave question. Bishop Andrew's election, by Northern v was not a concession to the South. The circumstances under which Bishop An was elected, have been utterly misrepresented. As was perfectly natural, the Sout delegates in 1832, were anxious that one of the Bishops to be elected, should be the South. It so happened, however, (without any reference to slavery,) that the individuals upon whom the Southern delegates could generally unite, were in slave holders, and as the Northern majority were not backward to let it be known, no slave holder could be elected, the Southern delegates determined to have no ca date, and allow the majority to select the men they might prefer. They selected Andrew as one, knowing he was not the choice of the South, and that they were gratifying the Southern delegates, (except a few,) in doing so. It was the avowed icy of the North, to elect a Southern man, that there might be no apparent grou complaint from the South, and yet to accomplish their own purposes in the exclusi *the men preferred* by the South, who happened to be the owners of slaves. The N

did not elect Bishop Andrew as the candidate of the South. They knew he was not the choice of the South, and would not be supported by a majority of the Southern delegates, especially as the latter knew he had been fixed upon by the North for the express purpose of defeating the wishes of the South. The idea therefore, so industriously inculcated, that Bishop Andrew and the South have violated the conditions of a private understanding, in the instance of the Bishop's election, by the position they assumed at the late General Conference, has no foundation in truth. Furthermore, Northern men elected Bishop Andrew without consulting him—without coming to any understanding with him or the South on the subject. Northern views and purposes were alone consulted. The South was not deferred to, nor cared for in the matter, beyond the fact, well understood at the time, as a matter of policy, that the election of a Southern man would silence the South, or compel the avowal, they wanted a slave holding Bishop! Such are the facts, as I understood them at the time, and I believe them to be correct; from which it will not be difficult to see to what extent Bishop Andrew and the South are indebted to Northern magnanimity, so plausibly set forth in the Reply, and various other accounts we have had of Bishop Andrew's election. No little stress has been laid upon the fact, that some suggestions appeared in some of the Southern papers of the Church, to the effect, that the election of a slave holder to the Episcopacy, would go far to quiet the apprehensions of many in the South, that a purpose existed in the North, to proscribe the Southern ministry in this respect, so far as they might be connected with slavery. By the law of the Church and the authoritative exposition of the law by the General Conference, no legal barrier existed to preclude such election, and the offense, therefore, alledged in the Reply, the Christian Advocate and Journal, and elsewhere, could only mean, that in the judgment of some, the interest of the South might be promoted, should the North be sufficiently just and generous, not to make an objection of *that* which the law had explicitly declared should not operate any forfeiture of right, in view of any of the offices of the Church. The only offense charged, was simply to state the constitutional claim of eligibility—the legal qualification necessary—not a right to be elected in fact, of which no one ever thought—but the claim of being eligible; nnder no legal disability, which is in itself one of the plainest and best defined rights known in the theory of government. And right to this effect, and so understood, is as clearly secured to the Southern slave holder, who cannot legally emancipate his slaves, and secure to them freedom after emancipation, as any other right belonging to the ministry, North or South. And to make the mere claim of this right an offense, is so manifestly unjust, that in itself it furnishes a strong reason with the South for the proposed separation. If we are to be punished for barely reminding the North of a constitutional claim, it is really high time we had placed ourselves in a position to resist such constructive nullification of law and right. This whole argument, however, proceeds upon a shameful misstatement of facts. It is warily attempted to make the impression, that the South first moved in this matter, and put forth an unheard of, unlawful claim, whereas we have seen that the right is an undoubted one, secured by law and asserted by the General Conference; and it is further true, that the South was *silent* until after the *public denial* of the right by a Northern "Convention of ministers and members of the Methodist Episcopal Church," and the purpose officially avowed to bring the matter before the next General Conference. The subject was first agitated in the North, and assumed there a most exciting and threatening aspect. This was well known to Dr. Bond, and to both the *authors* and *signers* of the Reply, for it had extensive publicity in the papers of the Church, before a word was heard from the South on the subject. This novel Northern movement was regarded as so manifestly

offensive and out of character, that the Christian Advocate and Journal vindicated the claim of the South as clear matter of right. (whether expedient to assert it or not,) and rebuked the Northern agitators, as guilty of an obvious outrage upon Southern right and feeling, and informing them at the same time, that they could not sustain their position before the Church. The conduct of the South, therefore, gravely charged as an offense, in the shape of a daring innovation, was a simple act of self defence against Northern aggression, notoriously committed in defiance of law, and in the face of the whole Church, and the repeated formal attempts to make a contrary impression, injurious to the South, has rendered it necessary to direct attention, both to the misstatement of fact and the manifest injustice of the conclusion, founded upon it. The only force found in the argument, recoils upon the North, as every one will perceive by barely looking at it.

As having a direct bearing upon this whole controversy, it is important to notice, that the rights of the ministry, as affected by simple slave holding, in States where emancipation is not practicable, having been brought by *memorial* from Westmoreland, Virginia, before two General Conferences successively, those of 1836 and 1840 ; the latter decided, that "the Discipline of the Church having provided for the ordination of ministers thus circumstanced, the course pursued by the Baltimore Conference, (within whose limits Westmoreland is found,) operates an *abridgement of right*, and therefore, furnishes *just ground* of complaint. It is a *departure* from the plain intendment of law in the case, and a *violation*, not less of *express compact* than of social justice, to withhold ordination for *reasons* which the provisions of the law plainly declare are *not* to be considered as a *forfeiture* of right." Here the General Conference style the law on slavery an *express compact*, and by various forms of proof, we have shown, that it was a compromise as truly as a compact. But this by the way. The decision from which we quote, adds, "attaching themselves to the Church, as citizens of Virginia, where in the obvious sense of the Discipline, emancipation *is impracticable*, the holding of slaves, or failure to emancipate them, cannot be plead in bar to the *right* of ordination. The Church has *failed* to redeem the pledge of *its own laws*, by refusing or failing to promote to office, ministers in whose case *no disability* attaches on the ground of slavery. The *exception* in the Discipline is, therefore, strictly applicable to all ministers and members of the Methodist Episcopal Church, holding slaves in Virginia, and they appear clearly *entitled* to the benefit of the rule, made and provided in such cases." The question thus settled by the General Conference, can be misunderstood by no one, and yet the Baltimore Conference has continued to withhold justice from the ministry connected with slavery in this section of Virginia, in violation both of general law and special adjudication, by the General Conference, had upon the law. The Baltimore Conference has found *judicial* security against arraignment for such injustice, in the fact, that that body has so managed, as to be always able to defy proof that ordination was withheld on account of slavery alone, and not for other reasons. How far *the fair*, *the just*, and *the honorable*, connect with the *grounds* of this impunity, in resisting the authority of the General Conference, those interested must determine for themselves. That it is a procedure unwarranted by law, and in violation of its plain provisions, as solemnly adjudicated upon by the General Conference, no one, it is believed, will entertain a doubt. The law and the General Conference have both been set aside. The decision adds, "the petitioners, in accordance with the provisions of the Discipline, whether said provisions be right or wrong, *are entitled to remedy*," and suggests in terms, that a *transfer* to the Virginia Conference, is perhaps, under all the circumstances, the only "conclusive remedy" for the party aggrieved. Whether the portion of the Church in this section of Virginia, will act upon the suggestion of the General

Conference, and seek connection with the Virginia Conference, or remain as heretofore, in the Baltimore Conference, or seek an independent Conference existence, is a matter about which we have nothing to say. The *principle* involved however, was too important to be overlooked, and having placed the matter in its proper light, as it regards law and right, we leave it where it was left by the decision of the General Conference.

A very staid effort has been made to convince the church and world that as the only condition of continued union, the South insists that slavery must be admitted into the Episcopacy. The sophistry of this position can have escaped the notice of but few. The fact is, as we have shown at large, in various ways, the last General Conference avowed the principle, and took stand upon the ground, that no Minister of the Methodist Episcopal Church, having connection with slavery, under any circumstances, could, by constitutional right, exercise the office of Bishop; and further, that the principle assumed, and the ground thus taken, were to constitute the only condition upon which the Union between the North and the South can be perpetuated. So far, therefore, from the South setting up a new term or condition of Union, the reverse is true, and the innovation comes from the North; for they proceeded to make that a condition of Union, which, in the shape of law, and formal declaration by the General Conference, *they had assured* the church and the world should not be required of *any* man, in view of *any* of the various grades of office known in the ministry of the Methodist Episcopal Church. And the truth turns out to be, that instead of Southern innovation, we have Northern violation of law and right, beside the dishonored pledge of the General Conference, upon which the South relied as security against the wrong thus inflicted. The question is not, whether Southern Methodist Preachers ought not to concede that no slave holder shall ever exercise the functions of Bishop, rather than divide the Church, but whether it is *their duty* to submit to a *declared inequality of right, contrary to law*, and knowing that such submission must forever cripple and degrade the Church in the South, where public opinion is known to be utterly intolerant of any such assumption. The offense of the North is a denial and abuse of right secured by law. The question of slavery is *settled by law*. Does the *law* disfranchise? It does not, and until it does, the South says the *Church* shall not. What the South assumes, in this respect, seems to have been *admitted* as well as denied by the North. By two very important votes, the last General Conference decided that a slave holder may be a Bishop of the Methodist Episcopal Church, for Bishop Andrew was declared *to be such;* and this certainly amounts to a virtual declaration, that a slave holder may be constitutionally elected to the office. Whatever would bar his *election* would, of course, bar his *holding* office. What right, then, has the Conference to depose or punish for that which constitutes no barrier to election? As the South had been profoundly silent on the subject, why did the North set up the hue and cry about the election of a slave holding Bishop? What would have been thought, North, had ten thousand petitioners from the South prayed the last General Conference not to elect a *negro a Bishop*? It would not be difficult to show they had quite as good reasons for getting up petitions to this effect, as the North had for the conduct of which we complain. The stale charge, and contemptible as it is stale, that certain Southern Ministers favor separation, because they wish to become *Bishops*, is only entitled to notice, because men from whom nothing of the kind could have been expected, have risked the disreputation of giving it currency. When it is recollected, however, that some men have no means of judging others, except by themselves, and advert to the additional fact, that there is equally good, and indeed much stronger reason to believe that those who ma-

lign and defame in this way, are acting exclusively with a view to their own personal and party interests, the charge is replied to quite beyond its merits.

A similar perversion of facts is found in the charge, that the South declined the proposition of the Bishops, to postpone the whole subject until another General Conference, because they would not submit to Bishop Andrew's resignation, *ad interim*. This charge is wholly untrue. No such proposition was made by the Bishops. Their proposition was, that Bishop Andrew should, meanwhile, perform his Episcopal functions as usual, except that he was not to have charge in the North, or where he might be objected to as the owner of slaves; and the whole South, to a man, favored the proposition. The Reply treats the charge of the Protest, that Bishop Andrew was proceeded against extra-judicially, as something quite monstrous, and yet no small portion of its reasoning plainly admits the justice of the allegation. The most common and popular meaning of extra-judicial, is, out of the ordinary course of judicial procedure; and the Reply not only admits the proceeding in Bishop Andrew's case to be of this character, but argues at length to prove that nothing was left the Majority, in the exigence of the case, but to pursue such a course, and thus proves what the Protest assumes. The Protest also charges a lawless procedure, and the Reply not only admits, but directly assumes, that having a right to do so, the Majority, under the stress of circumstances, deemed it necessary to act without any appeal to law, and thus clearly sustains the Protest in this instance also. The whole burden of the Manifesto goes to show, that Bishop Andrew was laid aside, not for any offence against any law of the Church, but because he had rendered himself unacceptable to the North, by marrying a lady possessed of slaves, although years before, the Providence of God had made him the owner of slaves, without his consent, and against his will, and in a State where he is imperatively *required* to hold them, and even an attempt to free them, subjects him to prosecution and punishment. See the law.

Not offending against, but being fully protected by law, Bishop Andrew could only be unacceptable to the North so far as the law is so. The real cause of his being unacceptable, is found in the fact, that the rapid growth of abolition and anti-slavery, North, has *antiquated* the law, and it ceases to type Methodist opinion and feeling on the subject of slavery. Both are far ahead of law, and the fact is admitted by the Reply, and urged as a *reason of action*. The Reply argues, that as the Episcopacy is common to the whole Church, law or no law, slavery must be kept out of it, because the North will not tolerate it. The Reply, however, forgets to argue further, that the General Conference is as common to the whole Church, as Episcopacy, and much more so in many respects, (and, according to the Repliers, a thousand fold more important,) and, therefore, must be kept free from slavery too. The Majority insist that the purpose of the constitution can only be carried out by having Bishops acceptable everywhere. Of course they conscientiously electioneered and voted for men as Bishops, in May last, that they believed would be acceptable to the whole Church, South as well as North, or otherwise must have dishonored their own principles. Had Bishop Andrew yielded to the demands of the Majority, as going beyond, and in contravention of the law in the case, he would have rendered himself unacceptable to the whole South; for the North to require it, therefore, was, upon their own showing, a violation of the constitution.

One of the false issues attempted to be made by the Reply, and some of our Northern Church papers, is, that the North is opposed to slavery; the South resists their hostile demonstrations; therefore the South is pro-slavery. This logic seems to be endorsed as perfectly irrefutable by a large portion of the Northern Church, destitute, as it is,

of even the semblance of either reason or argument. It does not seem to be taken into the account at all, that the opposition of the South may relate entirely to what they regard as the unlawful and dangerous means resorted to in order to correct the evil. Two physicians meet at the bed-side of a patient; one prescribes, and the other opposes the prescription; therefore the latter seeks the death of the patient. Comment is unnecessary.

The Reply utterly perverts the position of the Protest with regard to "the reasons of the law" of slavery. The Protest, assuming the general law as a compromise arrangement, settling the principle of action upon which the parties agreed to act, appeals to the "reasons," or final cause of such an arrangement, to show that the practical purpose had in view would be essentially defeated, by making *any* class of ministers an *exception* to its operation; and in all that is said in the Reply, the real principle involved is kept entirely out of sight, and not even glanced at.

Another specimen of the consistency of the Majority, respecting slavery, is, that the General Conference is everything, and the Episcopacy nothing, comparatively, and yet slavery in the General Conference, where it has been found since 1792, does no harm, or at least is to be tolerated, while, in the Episcopacy, it is ruinous of the Church! In the greater it is very well, but in the less it is not to be endured! Bishop Hamline's "Croton River" may be polluted with it, but if it be found in the Episcopal Reservoir, supplied by this *same* river, (no matter about the other reservoirs,) woe betide the Church! In one breath, or paragraph, Bishop Andrew is pure and spotless, and the laudation of his virtues, superior fitness, and admirable qualifications, is almost offensive to good taste; in another, it is gravely debated whether he ought not to be impeached for improper conduct, and he is declared to have violated an important trust, and to be a dishonored man. The charge against Bishop Andrew was, connection with slavery. The law of slavery consists of the general rule on that subject, and the 10th section. The arraignment of the Bishop is based upon an assumed infraction, not of either of these, but one of the restrictive articles, having no reference to the subject, and binding only upon the *triers* of Bishop Andrew. Both the general rule and the specific law regulating the subject, with regard to all our ministers, are evaded, and the constitution appealed to, at a point having no reference to the matter in hand; and thus, by construction, we have *ex post facto* legislation, for the purpose of making an offence of that, which was not such, by the only law applicable in the case. In proceeding to action, they quote the constitution as law, but when held responsible for the action had, they assure us no law was appealed to, but the emergency met and disposed of without reference to law! The Reply assumes the latter, and Finley's preamble proves the former.

The Reply says it was prevalently believed by the Majority, that Bishop Andrew might have been *impeached* for "improper conduct," under the express provisions of the Discipline. The only improper conduct charged, was slave holding. On this subject we have express law, it is true, but Doctors Durbin, Peck, and Elliott, as the expounders of law for the Majority, maintain that it does not apply to Bishops, and of course the Discipline has no "express provisions" of any kind, applicable in the case. In the absence of all law then, as the Doctors contend, where are we to look for the "express provisions" of law on which to base an impeachment? No latitude of meaning attached to the phrase "improper conduct," will answer the purpose of the Repliers, for slave holding is the only conduct in question, and this, it is alledged, the law does not recognize as "improper" in the *instance of a Bishop*, as that officer is exempt from its claims. *Impeachment, therefore, was impossible*, in the pre[illegible] of the difficulty, ac-

Since May last, sixteen Annual Conferences have officially endorsed the doctrine and positions of the Declaration and Protest, without qualification or exception, and yet, ever and anon, a knot or club of Northern abolitionists or anti-slavery agitators, numbering scarcely as many individuals, are permitted, in the papers of the Church, to ban and defame them as a "clique" of schismatic "separatists." If there be any virtue which can suffer such wrong, such wantonness of injury, without resentment, the South certainly stands in need of it. Would we had the patience and meekness of the sainted John, who, under similar treatment, was content to say, leaving the quiet maxim to explain itself, "no *lie* is of the truth." But to return. We wish to know, (to restrict the general view, here taken, to a single point,) why Bishops Soule and Andrew are to be punished for supposed disobedience to a simple wish of the Majority, explained by themselves, to mean anything or nothing, as Bishop Andrew might happen to understand it, or they find it convenient to decide, while Editors and others, equally the Agents of the Conference, are promised not only impunity, but even reward, in resisting an express and binding "regulation" of the General Conference, having all the force of law? We risk the opinion, that no General Conference, having any respect for the decencies, to say nothing of the graver sanctities of judicial procedure, will ever attempt to arraign Bishops Andrew and Soule for practical dissent from its wishes, without, at the same time, arraigning the whole corps of Editorial and other Censors, who have been in such officious haste to inform the Church and public, that the General Conference of 1844 had so damaged the interests of the Church, that their interference, in contravention of its action, and contempt of its authority, became necessary, to save the Church from ruin! We have not been unmindful of what will be retorted here, that we of the South resisted the same authority, in the case of Bishop Andrew. This is admitted as ostensibly true, but the reader who travels over the ground of this discussion with us, cannot help perceiving, with the facts and evidence before him, how utterly unresembling are the positions of the parties, and how impossible it is to compare them, as standing in anything like the same relation to law and right. *We* resisted the disturbance, by adverse Northern opinion and action, of civil and ecclesiastical rights and relations, established both by the law of the land and of the Church, and the possession of which had been formally guarantied to us by both. *They* resist the will of the Majority without any plea of law, or show of right, beyond that of private judgment. They not only nullify law, shown not to be inconsistent with the constitution, but they destroy the Legislature itself, by the virtual, but plain declaration, that *no law* of the General Conference can bind the Church without its *formal* previous consent. In our case, the reasons of law override its forms. The occasion accredits the right of resistance, and we vindicate its assertion by the emergency of the circumstances under which we act, and hence the difference, both as to the moral and the constitutional grounds of action.

In the instance of the two great points upon which the North and South divide, Slavery and Episcopacy, the Reply, in the first case, denies to Bishops the character of Traveling Preachers proper; and, in the second, insists they are merely such, with the addition of being *tenants at will*, as officers of the General Conference.

The sage induction by which the Manifesto attempts to show that the Protest maintains the General Conference to be a creature of the Episcopacy, is in keeping with its general claim to fairness of argumentation. It is plainly the purpose of the Protest to show, that because, according to law, we cannot have Annual Conferences, (and by consequence no General Conference, unless in extreme cases,) independently of the Episcopacy, it does not, therefore, follow, that the General Conference is the creature of

when it is made an objection under the same circumstances in a Bishop, that the Church is influenced by conduct and reasons not disapproved by Heaven, and the Church is thus boastfully presented, as exacting of a Bishop, what it is conceded God himself does not require of an Elder—both being in the same order of the ministry. Should considerations in a matter so weighty as the ministerial office be allowed to control Church action, while it is admitted the Divine conduct is in no way influenced by them? In proof of the disposition and purpose of the Northern Division of the Church to meddle with the question of slavery beyond all existing warrant of political or ecclesiastical law, mark the force of the following language, in one of the principal organs of the Majority—The Western Christian Advocate: "The Methodists have never *yet* taken any measures to bring *their views* to bear upon the *elections* of the country, although *this* is their *privilege*, whenever they may *see fit* to exercise it; and it may be *yet, if it is not now, their duty*, to exercise the elective franchise, constitutionally and legally, *against slavery* and in *favor* of *freedom*." The *policy* thus intimated, if not threatened, can only be brought to bear in *one* or *both* of two ways—in the *election of President* of the United States, or in an attempt *by change* to *destroy the compromise* of the Federal Constitution. The election of President, should the incumbent even be a thorough-going abolitionist, could not be brought "to bear *against slavery*," except by *lateral* methods, and very *indirectly*, and by no means with certain effect at all, and in view of his well known intelligence, we cannot suppose that this was what the editor had his eye upon, when he penned the monitory sentence we have just quoted. The allusion, to have fitness, and be of any force, must have been to the fact formally avowed in other Northern Methodist Papers, that it is not unlikely the three hundred thousand votes of the Northern Methodist Episcopal Church may, from a sense of "duty," and to satisfy the conscience of abolition and anti-slavery, yet be brought to bear upon a change of the national compact "against slavery;" that is, receding from the original condition of Union, as it regards slavery, and of course dissolving the National Confederacy, as all know this would be the result. Unless we have misunderstood this and similar intimations, the South can hardly have been premature in deliberating upon the necessity of separation.

The attempt in the Reply to magnify the state of dread and apprehension in the North, as it regards a slave holding Bishop, is really surprising. How could the North dread, what they knew they had the power of preventing, by having an actual majority of more than two thirds in the General Conference? All the annual and quarterly Conferences—all the societies and individuals who petitioned against the election of a slave holding Bishop, knew the whole alarm or excitement on the subject, if any, had originated North, and that there was really, not only no danger, but no possibility of the election of a slave holder, should Northern men be opposed to the election of one; and the Reply maintains, in behalf of the whole North, that such opposition has always been as universal as notorious in every period of the Church's history. The Reply must intend to maintain the legal ineligibility of a slave holder, or else that the legal abstract right, had become a dead letter by the prevalence of Northern opinion, adverse to law; and in either case, no real alarm could have existed North, and we are perfectly satisfied none did exist, and that the whole was intended for effect. The Northern movement was merely intended to present an array of bayonets against slavery, in any and every shape and aspect, and at as many points as possible. Antagonism and aggression, in view of the *existing order of things* affecting slavery, marked all the petitions presented at the last General Conference. The petitioners present no actual *personal grievances* under which *they labor*, as creating the right of petition. The right

by whom they cannot be claimed, except upon the principles of a *revolutionary radicalism*. This concession of the General Conference Press, "by authority," for temporary party purposes, may be found to contain the seeds, and furnish the type of a destiny not dreamed of in the philosophy of the Majority. What is conceded now, and in this case, may be claimed hereafter, and acted upon in others. The argument is a Delphian blade, cutting more ways than one. When we come to apply it, the General Conference is as much the creature of the people as a Bishop is the creature and factotum of that body.

The strangely doubtful—the equivoque position in which the resolution of Finley, with the subsequent explanation, left Bishop Andrew, made in every practical sense the mere *discretion*—the *will* of Bishop Andrew, the sole law of determination, both with regard to the moral character of his conduct and the propriety of exercising or declining to do so, the functions of his office. And yet for adopting the *rule of action* prescribed by the Majority, the Bishop is to be further punished. The Bishops informed the Conference, by way of asking for "official information," that in their judgment *they* had "no discretion to decide" upon even the kind of *relation* Bishop Andrew sustained to the Church. The Conference tell them they are right, they have no discretion in the case. The Conference declare all is confided to the discretion of Bishop Andrew and that what he may resolve upon is the law of the General Conference, "whether if any"—he may work or let it alone, "and if any in what work"—he may choose any work he prefers—"be employed," sees fit to occupy himself, (for no directions are given the Bishops,) "is to be *determined* by *his own decision and action*, in relation to the previous action of this Conference in his case." Should Bishop Andrew decide he is *suspended*, he may be *expected* to decide against taking work, although the Conference leaves him at liberty to work, should he see proper. Should his "decision" be that the Conference has merely *advised* him, and left him to do as he may think best, still *the whole matter is left to himself*, and the necessary *alternative* construction is, that the decision of Bishop Andrew is the law of the General Conference. And the question now arises, can the General Conference, with any show of right, punish Bishop Andrew for doing what they expressly authorized him to do—that is, work or let it alone, at his own discretion. Can he be punished for obeying their own law? Or rather, was not the law such, (the Bishop's own will,) as to render disobedience *impossible!* And what then is he to be punished for? A writer in the Western Advocate, who *strikes but hides the hand*, informs us the next General Conference will let us know what he is to be punished for. This however, can hardly be. When the manifesto was presented to the Conference, it contained a very significant *menace* to this effect, but the Majority refused to sanction the amenability of Bishop Andrew in this respect, as assumed by Drs. Durbin, Peck, and Elliott, and the latter accordingly proceeded to strike it out. This was after the report had been made and was in the possession of the Conference. Other items too, were stricken out by Dr. Durbin, some *with* and some *without* the consent of the committee or Conference. That this was not done, as has been alledged, to oblige the South, is perfectly obvious, for many other things pointed out and animadverted upon as particularly objectionable, were not stricken out, and it is plain those items only were expunged, which it was seen were indefensible and likely to discredit the argument and cause of the Majority.

It can hardly be necessary to call attention to the unfair use which has been made of the fact that Southern men, upon a motion from the North, voted to have the Reply recorded upon the Journal and printed. The motive of Southern men in doing so, will *be perceived by all.* Th Majority had *ordered their explanation* of the action had it

sistance, why feel uneasy? Moreover, if the Majority, before the emergency in question gave birth to so many rare inventions, regarded themselves as having the undoubted right to displace a Bishop and "give his Bishopric to another," even without trial or enquiry, what ground was there for the foreboding apprehensions of the Reply? Whether we look at the North, therefore, before or after the knowledge of Bishop Andrew's connection with slavery transpired, the assumed alarm and fidgety preparations of the abolition portion of the Church, prove the existence of purpose and pre-arrangement, to disturb the long settled question of slavery, beyond any thing that had preceded. Such purpose has been since avowed by the proper representatives of the abolition party, and how far seconded and sustained by the anti-slavery party, is sufficiently shown in other parts of this Review. The Reply charges, that Bishop Andrew had deliberately or heedlessly placed himself in direct and irreconcilable conflict with the sentiments of a majority of the Church. In relation to this, we enquire, how far *the law* of the Church may be presumed to *reflect* its sentiments? It can never be made appear that Bishop Andrew's conduct was in conflict with the law, and if in conflict with the sentiments of a majority of the Church, then the law is no index of the opinion of the Majority, and is in fact an imposition upon the credulity of the law-abiding portion of the Church. And further, the Reply itself shows, that without either deliberation or heedlessness, without any will or choice of his own, Bishop Andrew had been the owner of slaves for many years before his late marriage, and in a State where emancipation is not only unlawful, but even the attempt is rendered criminal by the laws. Had he not married, the result in every material aspect of the subject would have been the same. The charge, therefore, is without foundation in the facts of the case, the Repliers themselves being witnesses.

It was most confidently affirmed in the case of Harding, that the *only* question was, was it *practicable* for him to emancipate his slaves? All present will recollect, that in debate this was given as the *only principle* upon which the true issue was to hinge. The bare statement, however, to say nothing of the absurdities to which it leads, tortures and misrepresents both the spirit and language of the law. This, so far from being the only question, was but one of three constituting the *main* question. 1st. Was it at all practicable for Harding to emancipate his, or rather his wife's slaves? 2d. Could this be done conformably to the laws of the State in which he lived? And, 3d. Being *in fact* and *legally* practicable, could the liberated slaves enjoy freedom *in Maryland?* Grant that an affirmative answer ought to be given to the first of these questions, still, as such an answer cannot be given to the second and third, the majority either of the Baltimore Conference or of the General Conference, had no more right, *by the law of the Discipline*, to require the emancipation of Harding's slaves, than they had to run them off North, by way of giving them their freedom, that is, had no right at all, in virtue of the law. That they uprightly believed they had such right, at the time of action, is cheerfully conceded in relation to both.

Another argument in Harding's case seems to have found great favor in high places, as it may be made, it was no doubt thought, to answer the purpose when all others fail. It is assumed, that Harding might at least have relinquished his *own right* of property in his wife's negroes, and so freed *himself* from slavery. Beside, that legal contingencies might destroy this argument altogether, it should be borne in mind that such a *quasi* species of emancipation is utterly unknown to the law of Maryland, and therefore not legal, and of course could not in any way have affected the state of servitude in which the negroes would still be left. It must have occurred to every one too, that such a course would not have met the requirement of the Discipline at all, for the Dis-

clude it from the ministry, and by consequence, as we think, from the membership altogether. The Church South can admit of no distinction—no inequality of right in the ministry, without disreputation and overthrow. Where emancipation is practicable without evading or violating civil law, and the freed slave is allowed to enjoy freedom in the State of his domicil, should Southern ministers fail to emancipate, let them be punished. But where this is not the case, and while the law of the Church remains as it is, we will not submit to punishment of any kind, and it need not be expected of us. The old compromise, as we have understood it, is the only ground upon which we can stand in the South, and by how far we credit Northern assurances and defer to Southern opinion, it is unlikely we shall ever occupy that ground again. Under these circumstances, geographical division, (as to general jurisdiction,) with the exceptions recognized by the General Conference plan of separation, seems to be the only pacific remedy. For this the South, with a greatly less number of exceptions than was expected, is ready; and should the North, under the influence of counsels, adverse to the pledge of the General Conference, refuse to fulfil its contract, the question will be left to work out its solution in a different way, uninfluenced by Editors or correspondents, North or South. We write and talk of union, as if it were matter of choice by the parties to have it by mere dint of proclamation. But *where is* that of which so much is written and spoken, to so little purpose? Soberly, where is our *union*? "The North saith, it is not in me, and the South, it is not in me!" Split assunder by a moral convulsion despite ourselves—involuntarily sundered by the throes of an earthquake—already apart and each asking what the other cannot yield—clinging to opposing principles vital to existence, as the parties recede from each other; the question is, how may the least evil result from what has taken place? No longer one, and finding it impossible to agree, is there any reason why we should *destroy one another*, by way of proof that we ought not to have been *separated*? If the ends for which we came together, can only be accomplished by separation, and this we have solemnly declared as it regards the South, and the truth of the declaration is increased by every day's experience, what must be the suggestions of both duty and interest? And what must be the inevitable inference as to constitutional competency to divide the general jurisdiction of the Church, in an emergency of this kind? On what grounds is it doubted? With what show of reason or force of argument can it be questioned?

The proposed division, so far from exciting political alarm and alienation in the South with regard to the North, will tend directly to prevent the one and the other. Five thousand ministers and five hundred thousand members South, tamely submitting to Northern encroachment on the subject of slavery, would immediately and beyond doubt endanger the union of the States, but when it is seen that the rapidly increasing thousands of Southern Methodists, will not submit to this, all cause of alarm in connection with the Church, is removed at once. If while the civil condition and relations of the South are constantly assailed by the Church North, Southern Methodists had not resisted, but allowed the interference to proceed from one extreme to another, the Methodists being largely the most numerous denomination in the South, there would have been just reason, perhaps, to fear that the South might be driven to means of self defence, endangering the harmony if not union of the confederacy. Already, however, the resistance of the Southern Church has given a tone of confidence to Southern feeling, greatly lessening the danger in question. It is not unlikely, from the present signs of the times, and we accordingly predict, that the *Presbyterian Church in the South*, will soon be compelled to adopt the course we have, and that these examples will *be followed by the* Baptist Church, and at a later period by other Churches, in a similar

ges are specific, and the proof accompanies them. We invoke attention and challenge scrutiny, with regard to the one and the other. Are the scriptures and the law of the Church the standard by which we are judged? If they are, those who charge us with pro-slavery, must show wherein we have offended against these, and failing to do so, no other proof is needed to show the injustice and malignity of the charge. In a word, the wrong inflicted upon the South by the falsehood of the charge, is scarcely a greater outrage than the defamatory manner in which it has been presented.

A specimen of Northern consistency may be found in the fact, that Bishops Soule and Andrew are held to a most rigid responsibility for alledged disobedience to the wishes of the General Conference, in that, the latter, at the instance of the former, consented to assist his senior colleague in the labors and duties of his late Southern tour, in doing which, he did only what the General Conference told him to do; that is, exercise his own judgment as to the propriety of performing any work or not. For these acts Bishops Soule and Andrew are denounced in no measured terms, and it is more than intimated that exemplary punishment awaits them at the next General Conference. Meanwhile, Northern writers, talkers, declaimers, editors, Annual and Quarterly Conferences, leaders' meetings, societies, &c., are found impugning the wisdom and arraigning the action of the General Conference in every form of undisguised and scornful rebuke, without any intimation of either responsibility or punishment, because, forsooth, it is found practicable to hide the contempt they pour upon the General Conference, in this respect, by attempts to defend it in others. Why liability in the one case, and immunity in the other? The action of the Conference, on the Plan of Division, denounced by the North, as *absurd* and *unauthorized*, was united in by every member of the whole body, except *twelve*, taking the vote on the 3d resolution as the *test vote* of the body. That approved by them in the prosecution of Bishop Andrew, was a strictly party movement, on the slavery question, and solemnly protested against by every delegate from thirteen Annual Conferences, beside being opposed by the votes of one half the Delegation from the Baltimore Conference, two thirds of the Philadelphia Delegation, a majority of that from Illinois, with several others from New Jersey, New York, Michigan, Ohio, and Rock River. Fifteen Annual Conferences condemned the action in the case of Bishop Andrew; the vote of one was neutralized by an equal division, and five divided unequally. And the result is, upon this most difficult and delicate question, the Annual Conferences confederated in the General Conference, divided *sixteen* to *fifteen*, the North having a majority of *one*. It is true the Delegation from Texas, two in number, divided, as did that of Baltimore; but it was admitted by the Delegate who voted with the North, that in doing so *he did not represent* any portion of the Texas Conference. The Annual Conferences, therefore, all absolutely equal in their rights, divided as above, and those who are now attempting to sustain the action of the General Conference, in Bishop Andrew's case, know that fifteen Annual Conferences disapproved it, while the action, adopting the Plan of Separation, about which we have so much pragmatic dissent and turbulent abuse, was not opposed by a single Annual Conference, and by only twelve scattering votes of individuals! And yet we are told, respect for the General Conference, as the Representative Council of the Church, compels the conduct we have under notice! The conduct of a bare, the leanest possible majority, counting by Conferences, is defended with all imaginable zeal and ability, as the voice and action of the Church, and, at the same time, the almost unanimous action of the whole body, providing for a peaceable "division of the Church," on "constitutional" principles, is denounced and libelled as the work of "divisionists"—the project of a "Southern clique."

Since May last, sixteen Annual Conferences have officially endorsed the doctrine and positions of the Declaration and Protest, without qualification or exception, and yet, ever and anon, a knot or club of Northern abolitionists or anti-slavery agitators, numbering scarcely as many individuals, are permitted, in the papers of the Church, to ban and defame them as a "clique" of schismatic "separatists." If there be any virtue which can suffer such wrong, such wantonness of injury, without resentment, the South certainly stands in need of it. Would we had the patience and meekness of the sainted John, who, under similar treatment, was content to say, leaving the quiet maxim to explain itself, "no *lie* is of the truth." But to return. We wish to know, (to restrict the general view, here taken, to a single point,) why Bishops Soule and Andrew are to be punished for supposed disobedience to a simple wish of the Majority, explained by themselves, to mean anything or nothing, as Bishop Andrew might happen to understand it, or they find it convenient to decide, while Editors and others, equally the Agents of the Conference, are promised not only impunity, but even reward, in resisting an express and binding "regulation" of the General Conference, having all the force of law? We risk the opinion, that no General Conference, having any respect for the decencies, to say nothing of the graver sanctities of judicial procedure, will ever attempt to arraign Bishops Andrew and Soule for practical dissent from its wishes, without, at the same time, arraigning the whole corps of Editorial and other Censors, who have been in such officious haste to inform the Church and public, that the General Conference of 1844 had so damaged the interests of the Church, that their interference, in contravention of its action, and contempt of its authority, became necessary, to save the Church from ruin! We have not been unmindful of what will be retorted here, that we of the South resisted the same authority, in the case of Bishop Andrew. This is admitted as ostensibly true, but the reader who travels over the ground of this discussion with us, cannot help perceiving, with the facts and evidence before him, how utterly unresembling are the positions of the parties, and how impossible it is to compare them, as standing in anything like the same relation to law and right. *We* resisted the disturbance, by adverse Northern opinion and action, of civil and ecclesiastical rights and relations, established both by the law of the land and of the Church, and the possession of which had been formally guarantied to us by both. *They* resist the will of the Majority without any plea of law, or show of right, beyond that of private judgment. They not only nullify law, shown not to be inconsistent with the constitution, but they destroy the Legislature itself, by the virtual, but plain declaration, that *no law* of the General Conference can bind the Church without its *formal* previous consent. In our case, the reasons of law override its forms. The occasion accredits the right of resistance, and we vindicate its assertion by the emergency of the circumstances under which we act, and hence the difference, both as to the moral and the constitutional grounds of action.

In the instance of the two great points upon which the North and South divide, Slavery and Episcopacy, the Reply, in the first case, denies to Bishops the character of Traveling Preachers proper; and, in the second, insists they are merely such, with the addition of being *tenants at will*, as officers of the General Conference.

The sage induction by which the Manifesto attempts to show that the Protest maintains the General Conference to be a creature of the Episcopacy, is in keeping with its general claim to fairness of argumentation. It is plainly the purpose of the Protest to show, that because, according to law, we cannot have Annual Conferences, (and by consequence no General Conference, unless in extreme cases,) independently of the Episcopacy, it does not, therefore, follow, that the General Conference is the creature of

the Episcopacy, although there is quite as good reason for assuming it, as there is for assuming the Episcopacy to be a mere creature of the General Conference.

The Reply, in pressing upon our notice the uniform repugnance to slavery, in the high places of the Church, has signally failed in giving us the true and proper relations of "Methodism and Slavery," and exhibits a sad paucity of proof with regard to the manifestation of the kind of repugnance so very confidently assumed. Beside the many unmanageable facts and perplexing inferences already noticed, tending to discredit the ultraism of the Reply in this respect, there are other items of no mean significance, which ought at least to be explained. The General Conference of 1828 selected, with great unanimity, a Southern slave holder as their Representative to the British Conference. It is well known, too, that at the General Conference, in 1832, more than forty Northern votes were given for a Southern slave holder as Bishop, and given too, against a Southern man, proposed for the same office, who was not a slave holder. These, and kindred facts, all go to show, that until the recent marriage of abolition and anti-slavery, for grave family reasons, (a union of effort for particular purposes, as elsewhere seen,) the Church has been in the habit of selecting men for office, and appointments of trust, without reference to their connection with slavery, it being well understood that no slavery was found in the Traveling Ministry, except under circumstances where, according to law, no forfeiture of right could ensue. All this, however, is utterly misunderstood or misrepresented by the Reply. That Jesse Lee was the owner of slaves, when designated by Bishop Asbury for the office of Bishop, and came within a single vote of being elected by the General Conference, is, I am informed, susceptible of proof. It is also affirmed that he was such, when, at an earlier day, he planted Methodism in New England. Bishop McKendree never attempted to disguise his solicitude for the election of *Thomas Logan Douglass* as Bishop, although he knew him to be an extensive slave holder, in a State where emancipation was impracticable. Southern men, holding slaves, have, at different times, been supported for the Episcopacy, by Northern votes, ever since the organization of the Church.

The manner in which the Reply repels the charge of "extra-judicial" proceedings against Bishop Andrew, will be recollected by all. The charge is, that Bishop Andrew was proceeded against "out of the ordinary course of legal procedure," such being the common and obvious meaning of the term; and the Reply, after denying the charge in various forms, takes great pains to show why the Bishop could not be dealt with according to law, and why it was necessary to meet the emergency "out of the ordinary course of legal procedure." The gross fallacy of the pretension, that the General Conference has the right to do anything not expressly forbidden, publishes its own refutation the moment it is looked at. So soon as we apply it to the division of General Conference jurisdiction, this argument of the Majority is, by themselves, denied as futile. While Bishop Andrew is on the tapis, the "Croton river" overflows its banks, but the moment division comes up, it is dried in all its streams. When Episcopacy is in the way, the General Conference has *all power*, even the *sovereign lawlessness* claimed for it by Bishop Hamline; but whenever it is shown that such supremacy must give to the body claiming it, the right to divide the general jurisdiction of the Church, we are instantly informed, as we have been in twenty different shapes, that this right belongs not to the Traveling Ministry, but *the people*—the Laity. The reader, by adverting to our reasoning elsewhere, will perceive at once, that in theory, this is a *revolution* in the government of the Methodist Episcopal Church. It is depriving the Traveling Ministry of rights and powers always claimed by them, and investing them in the people, where it has always been obstinately contended they do not belong, and

by whom they cannot be claimed, except upon the principles of a *revolutionary radicalism*. This concession of the General Conference Press, "by authority," for temporary party purposes, may be found to contain the seeds, and furnish the type of a destiny not dreamed of in the philosophy of the Majority. What is conceded now, and in this case, may be claimed hereafter, and acted upon in others. The argument is a Delphian blade, cutting more ways than one. When we come to apply it, the General Conference is as much the creature of the people as a Bishop is the creature and factotum of that body.

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Bishop Andrew's case, in the shape of an extended report by distinguished leaders of the party, but were unwilling to assume the responsibility of adopting it. The South challenged the Majority to accredit the report, either by its adoption or by attaching their signatures to it. They refused to do either. Wishing to have ready access to it, and have the Church made acquainted with it, although notoriously disapproving its contents, several Southern men voted to record and print it, as a summary of the doctrines and opinions of the Majority, respecting slavery and Episcopacy, which the South believes to be alike subversive of the *unity* and *General superintendency* of the Methodist Episcopal Church.

The Reply insists that the readiness and unanimity with which the Majority consented to the plan of separation, is a practical refutation of the charge of the Protest, that the Minority had been subjected to the party control of a dominant majority. Suppose we look at later demonstrations by the North. What kind of treatment has the South received from the great mouth piece, the government organ of the Northern party, the Christian Advocate and Journal, to say nothing of others? We are privately assured it is true, from different sources, that it misrepresents both Northern opinion and feeling, as certainly and even offensively, as all know it to have misrepresented the General Conference and the South; still it speaks for the Church North, and will, no doubt, continue to do so. The perfect silence of book agents, book committees and the Northern Conferences, must, of course, be understood as their endorsement of its policy and tactics, and they are accordingly responsible, not for every thing the paper may contain, but for its *main position* and obvious purpose in this controversy, as authorized to speak for the Church, and it requires no great discernment to see, that important results may follow from the fact, that the original position of the Majority has been *denied* and *reversed*, and its public solemn obligations scorned and cancelled by its official organ, thus rendering it more imperiously necessary than before, that the Southern Conferences be independent of the Northern, beside the proof it furnishes of the original necessity of division. A single fact noticed elsewhere, and that can never be forgotten by the South, speaks volumes on this subject. Papers published under the authority of the General Conference, have stated distinctly and repeatedly, in the gravest forms, that the *only* reason why the South seeks a separate organization, is because they insist on having a slave holding Bishop, and cannot be gratified while in union with the North. We have shown this statement to be as notoriously false in fact, as it is injurious in its purpose and effect. The whole history of the difficulty publishes its want of truth not less than the malevolence of its origin, and the express language of the General Conference is falsified without disguise, by the imputation. The Conference in providing for separation, avowedly acted in view of "various reasons enumerated" in the declaration of the Southern delegates, and the *only* reason of our Editors is not even *one* of the several alluded to, in any sense or shape whatever. The fact is, the Reply mistook both the character and temper of the North on this whole subject, unless both are miserably misrepresented by the official press.

Those men who believe all slave holding to be morally criminal, and are resolved to rid the Church of all slavery in every respect, are infinitely consistent compared with those who seem to think slavery involves very little difficulty on moral grounds, but is most disastrously evil when it becomes mixed up with the difficult tactics of sectional interest and party expediency. The fact is, to be at all consistent, Methodism in all the non-slave holding Conferences, must occupy the old common ground of the legal toleration of slavery in all grades of the ministry, in States whose laws do not allow the emancipation and subsequent freedom of the slave, or must take new ground, and ex-

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good of the whole Church demanded it, it could not be *inconsistent* with the constitution, the primary design of which is to promote such good. Hence, the Conference ordered that a "constitutional" plan of separation should be devised and reported by the appropriate committee, which was done accordingly, and was adopted by the Conference in due form. The Northern votes in favor of this plan were more than double the number given from the South. The North, with almost absolute unanimity, declared, that should the Southern Conferences decide in favor of it, such separation of jurisdiction should take place, in right of such special grant. All the sixteen Southern Conferences have so decided, and the numerical dissent in the Traveling Ministry has been less than *one half per cent.* The condition, therefore, upon which the Majority of the General Conference pledged the North to a separation, having been most fully and unequivocally realized, the North is *committed to the issue* without any possible chance of honorable retreat, unless with the consent of the South. That this whole transaction, both in its form and subject matter, has been grossly distorted and utterly misrepresented by General Conference organs, whether viewed on *moral* or *legal* grounds, is a position not likely to stand in need of proof. The almost innumerable statements and declarations, that the South proposed to "separate *from* the Church," was understood to be a "secession," and to "go off as no longer any part of the Church," are not only unjust and untrue, as it regards the South, but a *libel* upon *the official action* of the Majority of the late General Conference. The General Conference gravely and explicitly instructed the committee of nine to "devise a constitutional plan for a mutual and friendly *division of the Church*" into two great departments, North and South, in the following words :—

"*Resolved*, That the committee appointed to take into consideration the communication of the Delegates from the Southern Conferences, *be instructed*, provided they cannot, in their judgment, devise a plan for the amicable adjustment of the difficulties now existing in the Church on the subject of slavery, *to devise*, if possible, *a constitutional plan for a mutual and friendly division of the Church*."

Here is our *warrant*. And let it be noticed—1st. That it is proclaimed by the General Conference, that they did not think a constitutional division impracticable. And, 2d, That, in reporting the plan, under *instruction*, that it *should be constitutional*, there is no intimation from the committee, or others, that it was not so. If the men who adopted the above resolution, and also sustained, by their votes, the plan of separation reported by the committee, acting under the instruction given, intended that the separation should *not* be constitutional, and in pursuance of law and order, but in fact a "secession," operating a forfeiture of Church rights, as now avowed by official agents of the Conference, then we cannot for a moment hesitate, nor do we believe public opinion will, in pronouncing it a *deliberate fraud* practised upon the South, against the purposed mischiefs of which the South is amply protected, both by ecclesiastical and civil law. The General Conference is, in the face of Heaven and Earth, committed to a "*constitutional*" and friendly "division of the Church," mutually agreed to by all the Annual Conferences represented in the General Conference. The South are no more "divisionists" than the North. The true *sponsors* of division are the men who voted for the resolution, and the report in question, and they are held to the responsibility involved. No plea of oversight, with regard to the use of terms, can be urged by the Majority, for a Southern man, fearing it might create an insuperable difficulty, moved to strike out the term "constitutional," which the Conference promptly refused to do, and by retaining *stressed* the term, as one to which no little importance was attached. The Majority, therefore, are pledged to the result—a constitution[illegible] vision of the Church, and any and every effort to the contrary, tending in any

saw proper, except the very few things placed in custody of the restrictive articles. It has, moreover, always been the doctrine of the Church, right or wrong, that the so *right* to govern the Church, in all its diversified interests, belongs to the Traveling Ministry, to the exclusion of the Local Ministry and Laity, and the doctrine has been *twice formally avowed* by the General Conference, beside being shown by the very structure of the government itself. The Traveling Ministry constitute the government. The rights of government accrue to them exclusively, in view of all the legal provisions connected either with the constitution or the laws. Any rights of sovereignty, therefore, predicable of the Church, may, as the Church has always been organized, be rightfully exercised by the Traveling Ministry, and, since 1808, by the "Delegates of the several Annual Conferences, in General Conference assembled." The right to divide is an extreme right, incidental to inherent sovereignty, always belonging to those constituting the government; and its exercise is always lawful, when demanded by any adequate imperative emergency. If, then, the immemorial doctrine of the Church, that to the Traveling Ministry belongs, by conventional compact, all right to govern and control, they alone, of course, have the right to determine the question of division. The radical claim, recently set up, in various quarters, that the General Conference, as the organ of the Traveling Ministry, the government proper, has no right to divide a jurisdiction *absolutely its own*, as elsewhere and otherwise asserted without the consent of the Local Ministry and the people, or rather the assumed right of the people to decide the question, is a claim involving a principle which has, at different times, as we have seen, received the formal condemnation of the Church, through the General Conference. Whatever may be the *natural*, *moral*, or *scriptural right* of the people primarily, the doctrine of the Church is, that by *consenting* to be governed by the Traveling Ministry, *in the act of entering the Church*, all such right was *surrendered*, and cannot now be claimed, without assuming a radical, revolutionary position in relation to the government of the Church. The only *legal* right of division belongs incontestably to the General Conference. And this right, in fact and in form, has been exercised by the General Conference, in setting off, by formal enactment and legislative provision, the Methodist Episcopal Church in Canada. And to deny the right, in view of a precedent so perfectly plain and unambiguous, is, to say the least of it, most absurdly inconsistent, until it be shown that the Canada separation was a "secession," and all who favored it "disunionists." It is, further, true, that the Canada case covers the entire ground, and involves every principle implicated in the pending division. Both parties, it is well known, intended to provide for a separation, without another meeting of the General Conference. The Plan of Separation authorizes the Southern Conferences to judge of the necessity of separation, and furnishes the highest warrant of the Church for a separate organization, if it be deemed necessary.

The South asked that the Conferences in the slave holding States might be set off under the jurisdiction of a separate General Conference, with a view to prevent the array of the North and the South against each other, at every General Conference, (as now organized,) on the subject of slavery. A constitutional division of general jurisdiction was prayed for, all other organic relations remaining the same. It was supposed, that, as the General Conference possessed full power to make all regulations for the welfare of the Church, deemed indispensable, and not inconsistent with the constitution, that the right of extreme necessity authorized the South to ask, and the North to grant the separation in question, and such an arrangement was mutually agreed to by the parties. It was not thought, by either party, that the constitution had made *provision* for such a separation, but by both, that so far as necessity, in view of the

separation. If our conjectures should be verified, we entertain no doubt at all that the effect will be eminently favorable to the interest of the National Union. Political abolitionism has been principally sustained in the North, by religious fanaticism and foreign interference, and the latter has been brought to bear extensively, as all know, through the various Churches of the United States. Should, however, the principal Churches South, claim separate jurisdiction, as it regards this question, it will deprive *agitation* at once of its principal means and appliances, and a less excited and exasperated state of feeling North and South, will naturally exert an influence upon public opinion and sentiment, highly conservative in relation to the great interests of our common country. The abolition influence in the United States, has been inconceivably enhanced by the encouragement and countenance of England and the influx of foreigners from every part of Europe. A late English writer on this subject says, "that England has taken up the trade of *propagandism* is admitted by our rulers themselves." Another affirms that it was for this specific object she "confiscated property to the amount of 40,000,000 sterling in the West Indies," which did not, in any sense, belong to the government, and which having been accumulated under the full and explicit sanction of British law, she could not deprive her subjects of without a plain violation of the rights of property. Dr. Bangs, speaking of the Northern agitation of "slavery and abolitionism," says, "this spirit was powerfully excited by *agents sent out from England for the express purpose* of lecturing us on the evils of slavery. These heedless and enthusiastic lecturers, aroused a spirit of resistance to their measures and proceedings, which it was not easy to control. This *interference of foreigners* with our domestic relations, was considered by the more judicious portion of the community, as highly reprehensible and worthy of severe rebuke and remonstrance." That an immense mass of the American people are opposed to slavery, in principle and feeling, is not disputed, and no where regretted or complained of in the South. But it is true at the same time, and susceptible of the clearest historical proof, that the whole abolition and anti-slavery movement in the United States, for the last twelve years, has been to a very great extent *anti-American* and essentially of *foreign* origin. The whole system is largely indebted to foreign influence, both as it regards its projection and impulse. Nor is this true merely in relation to the organized efforts of the anti-slavery and abolition mission, as such, but the principle involved and the fact we assume have developed themselves and displayed their relations and affinities, in various forms of political, social, and moral mischief. Public attention and concern have been for years attracted to the evil as one of no common magnitude. Thousands who do not deem it prudent to speak or act, feel that the curse is in our midst—that the elements of social degeneration and national decay, are at work, with an energy and effectiveness calling loudly for the interposition of public virtue and political foresight. The subject is too deeply painful and humiliating to be enlarged upon.

Look at the annual foreign accessions to our population—look at the lawless disregard of restraint among them—a levelling system of agrarianism rapidly extending in every direction and fearfully increasing in strength and activity. Even now they constitute in various places, formidable castes and parties, caring for nothing but to secure their own petty personal interests, and to promote the reckless aims of the unprincipled demagogues by whom they are duped and demoralized. This class of foreigners rarely crowd together in the South in masses sufficiently large to affect the interests of society. The long established system of slave labor—the kinds and methods of production, and the general habits of society, with other causes, deter them. They seek the free States of the North, and are found there as ten to one, if not in greater disproportion, com-

pared with the South. Foreign influence in this way, has been most unfairly brought to bear in the North, upon the question of slavery in the South. For more than half a century, without any knowledge of our political institutions and civil relations, the slaves of other nations, have been the legislators of this. Legionary hordes are annually emptied out of Europe, in the shape of ignorant, needy, and disorderly paupers, fugitives, and convicts, every where crowding the cities and districts of the North, officiously meddling with both the polity and police of the country, and rapidly sapping the foundations of its noblest institutions. Placed on their arrival, in direct association with the lowest and most depraved part of our own population, and subjected but too generally to the drill of debased and lawless leaders, the *Botany Bay of European outcasts* on this side the Atlantic, is allowed to give character, not only to the law and magistracy, but even to the manners and morals of the country. We except of course, from the application of these remarks, and we do it with the greatest pleasure, all those citizens of the United States from foreign countries, many and respectable, who *practically* discourage and discountenance the growing evil of which we complain; all others we include as accessary to the outrage, and inflicting irreparable injury upon the character and hopes of the country.

Among the rare morceaux of the Reply claiming attention, we may notice the attempt to make the impression that the Protest denies that Bishop Andrew was really and legally connected with slavery. The Protest contains no such denial—no intimation of the kind, and the statement is negatived both by the language and reasoning in every part of the document. The Reply also contains the unauthorized representation, that the Protest assumes the ecclesiastical compact existing between the North and South to have been a constitutional arrangement in form, and cannot, therefore, be altered or revoked without the removal of constitutional restrictions. There is no such idea in the Protest. The general law of slavery, as enacted at different times, is assumed, as we have proved it to be, a compromise arrangement, in the shape of a common law agreed upon by the parties, North and South, and the Protest maintains that the Majority of the late General Conference, in disregarding the law, were not merely chargable with its violation, but also with a breach of good faith toward the South. There is no allusion to the removal of constitutional restrictions. What the Protest meant by charging a violation of the constitution, is fully explained and supported in another part of this Review. So far as the constitution is directly applicable to Bishop Andrew's case, unless it can be shown that he bought or sold with intention to "enslave," the constitution, as explained in the 10th section, not only protects him in his connection with slavery, but must be disregarded and violated in any attempt to disturb him. The Reply attempts to prove Bishop Andrew blame worthy, because a Bishop is "allowed to live where he pleases," and it seems it would have pleased the Repliers and those they represent, had Bishop Andrew removed North, and so freed himself from slavery by expatriation. It so happens, however, that Bishop Andrew "pleases" to live in Georgia, where he resided at the time of his election, and the Discipline, as we have seen, takes from the General Conference any right to disturb him in his connection with slavery, in that State. And as a Bishop is kindly "allowed to live where he pleases," no blame can possibly attach to Bishop Andrew for not removing North.

Among other things found in the Protest by the Reply, which happen not to be there, is "the virtual *deposition* of several Bishops, by a worse than extra-judicial process." What *was there*, but not seen, it would seem by the authors of the Reply is, that Bishops violating the compact, the compromise law of slavery, themselves, or submitting without proper remonstrance to its violation by others, cannot be acceptable in the

South, and need not appear there with such expectation. This we re-affirm in behalf of the whole South. We have furnished in these pages, abundant proof that the only Bishops the Church had at the time the Protest was written, were fully committed to the compromise policy of the Church respecting slavery, and the position was taken in view of a possible change of sentiment by some of the Bishops, but especially the probable election of one or more to the office, who might be abolitionists. That is, we have no more use for such South, than the North have for Bishop Andrew. But to declare an abolition Bishop unacceptable in the South is a "virtual deposition," ergo, according to Drs. Durbin, Peck, and Elliott, the declaration that Bishop Andrew was unacceptable at the North, was his "virtual deposition," although the same Doctors stubbornly deny it in other parts of the Reply, and maintain that it does not even amount to ecclesiastical censure of any kind. An abolition Bishop declared unacceptable in the South is "virtually deposed," but a Bishop holding slaves by the direct permission of law, may be declared unacceptable North, without even the implication of censure!

Of a piece with the preceding, is the effort of the Reply to disparage the reasoning of the Protest, by charging upon it the assumption, that a Bishop is only responsible for criminal conduct. It will be quite sufficient to say that no part of the Protest authorizes any such supposition, in whole or in part, directly or remotely. It merely denies the right of the General Conference to inflict upon a Bishop of the Church official disability of any kind, without due form of trial. Of which more in its place.

The Reply very warily tries to make it appear, that the North is satisfied with the existing law of the Church on slavery, and seeks no new legislation. That new legislation on the subject was called for in 1836, 1840, and 1844, none will deny. The call was made at each General Conference, by several thousand petitioners, and how does the report of the committee of 1844, comport with the declaration of the Reply? The report admits the call for new legislation, and does not disapprove it. It is perfectly non-committal. Nine Annual Conferences and ten thousand petitioners ask that action may be had and results secured contrary to the provisions of existing law, and yet the committee say nothing in defense of law and against the attempt at change and innovation. Was it the purpose of the committee to authorize the inference South, that when they thought it safe to do so, they were prepared to recommend action? Did they intend to invite nine additional Conferences and twenty thousand petitioners to try it again at the next General Conference? Why did the committee recommend and the Majority find it expedient to endorse the lawfulness of negro testimony against white persons in Church trials, by repealing a law which had disallowed it in States and Territories where negroes were not allowed as witnesses in civil process? Was it believed that negro witnesses might be useful auxiliaries in managing the South? The statement of the Reply too, is discredited by the counter avowal of some sixty New England traveling preachers, who, since the General Conference, have declared themselves in favor of new legislation. It is true Dr. Bond and Dr. Elliott are trying to make all believe, either that the men in question are first rate, straight forward, trust worthy, law abiding Methodists, and will save the New England Conferences, "sound to the core," or that they are but a handful of noisy ultra abolitionists and not worth minding. It dont seem to be at all material to the argument which they shall turn out to be. It seems to be resolved on, that they shall either keep quiet or be proved to be unworthy of notice or confidence. What adverse influence can such men as Crandall, Porter, King, Binney, Remington, and a hundred or two like them, bring to bear upon the slave holding portion of the Baltimore Conference, embracing parts of Maryland and Virginia, and the District of Columbia? What has the Philadelphia Conference to fear, although it has

saw proper, except the very few things placed in custody of the restrictive articles. It has, moreover, always been the doctrine of the Church, right or wrong, that the *sole right* to govern the Church, in all its diversified interests, belongs to the Traveling Ministry, to the exclusion of the Local Ministry and Laity, and the doctrine has been *twice formally avowed* by the General Conference, beside being shown by the very structure of the government itself. The Traveling Ministry constitute the government. The rights of government accrue to them exclusively, in view of all the legal provisions connected either with the constitution or the laws. Any rights of sovereignty, therefore, predicable of the Church, may, as the Church has always been organized, be rightfully exercised by the Traveling Ministry, and, since 1808, by the "Delegates of the several Annual Conferences, in General Conference assembled." The right to divide is an extreme right, incidental to inherent sovereignty, always belonging to those constituting the government; and its exercise is always lawful, when demanded by any adequate imperative emergency. If, then, the immemorial doctrine of the Church, that to the Traveling Ministry belongs, by conventional compact, all right to govern and control, they alone, of course, have the right to determine the question of division. The radical claim, recently set up, in various quarters, that the General Conference, as the organ of the Traveling Ministry, the government proper, has no right to divide a jurisdiction *absolutely its own*, as elsewhere and otherwise asserted, without the consent of the Local Ministry and the people, or rather the assumed right of the people to decide the question, is a claim involving a principle which has, at different times, as we have seen, received the formal condemnation of the Church, through the General Conference. Whatever may be the *natural*, *moral*, or *scriptural right* of the people primarily, the doctrine of the Church is, that by *consenting* to be governed by the Traveling Ministry, *in the act of entering the Church*, all such right was *surrendered*, and cannot now be claimed, without assuming a radical, revolutionary position in relation to the government of the Church. The only *legal* right of division belongs incontestably to the General Conference. And this right, in fact and in form, has been exercised by the General Conference, in setting off, by formal enactment and legislative provision, the Methodist Episcopal Church in Canada. And to deny the right, in view of a precedent so perfectly plain and unambiguous, is, to say the least of it, most absurdly inconsistent, until it be shown that the Canada separation was a "secession," and all who favored it "disunionists." It is, further, true, that the Canada case covers the entire ground, and involves every principle implicated in the pending division. Both parties, it is well known, intended to provide for a separation, without another meeting of the General Conference. The Plan of Separation authorizes the Southern Conferences to judge of the necessity of separation, and furnishes the highest warrant of the Church for a separate organization, if it be deemed necessary.

The South asked that the Conferences in the slave holding States might be set off under the jurisdiction of a separate General Conference, with a view to prevent the array of the North and the South against each other, at every General Conference, (as now organized,) on the subject of slavery. A constitutional division of general jurisdiction was prayed for, all other organic relations remaining the same. It was supposed, that, as the General Conference possessed full power to make all regulations for the welfare of the Church, deemed indispensable, and not inconsistent with the constitution, that the right of extreme necessity authorized the South to ask, and the North to grant the separation in question, and such an arrangement was mutually agreed to by the parties. It was not thought, by either party, that the constitution had made provision for such a separation, but by both, that so far as necessity, in view of the

good of the whole Church demanded it, it could not be *inconsistent* with the constitution, the primary design of which is to promote such good. Hence, the Conference ordered that a "constitutional" plan of separation should be devised and reported by the appropriate committee, which was done accordingly, and was adopted by the Conference in due form. The Northern votes in favor of this plan were more than double the number given from the South. The North, with almost absolute unanimity, declared, that should the Southern Conferences decide in favor of it, such separation of jurisdiction should take place, in right of such special grant. All the sixteen Southern Conferences have so decided, and the numerical dissent in the Traveling Ministry has been less than *one half per cent.* The condition, therefore, upon which the Majority of the General Conference pledged the North to a separation, having been most fully and unequivocally realized, the North is *committed to the issue* without any possible chance of honorable retreat, unless with the consent of the South. That this whole transaction, both in its form and subject matter, has been grossly distorted and utterly misrepresented by General Conference organs, whether viewed on *moral* or *legal* grounds, is a position not likely to stand in need of proof. The almost innumerable statements and declarations, that the South proposed to "separate *from* the Church," was understood to be a "secession," and to "go off as no longer any part of the Church," are not only unjust and untrue, as it regards the South, but a *libel* upon *the official action* of the Majority of the late General Conference. The General Conference gravely and explicitly instructed the committee of nine to "devise a constitutional plan for a mutual and friendly *division of the Church*" into two great departments, North and South, in the following words :—

"*Resolved*, That the committee appointed to take into consideration the communication of the Delegates from the Southern Conferences, *be instructed*, provided they cannot, in their judgment, devise a plan for the amicable adjustment of the difficulties now existing in the Church on the subject of slavery, *to devise*, if possible, *a constitutional plan for a mutual and friendly division of the Church.*"

Here is our *warrant.* And let it be noticed—1st. That it is proclaimed by the General Conference, that they did not think a constitutional division impracticable. And, 2d, That, in reporting the plan, under *instruction*, that it *should be constitutional*, there is no intimation from the committee, or others, that it was not so. If the men who adopted the above resolution, and also sustained, by their votes, the plan of separation reported by the committee, acting under the instruction given, intended that the separation should *not* be constitutional, and in pursuance of law and order, but in fact a "secession," operating a forfeiture of Church rights, as now avowed by official agents of the Conference, then we cannot for a moment hesitate, nor do we believe public opinion will, in pronouncing it a *deliberate fraud* practised upon the South, against the purposed mischiefs of which the South is amply protected, both by ecclesiastical and civil law. The General Conference is, in the face of Heaven and Earth, committed to a "*constitutional*" and friendly "division of the Church," mutually agreed to by all the Annual Conferences represented in the General Conference. The South are no more "divisionists" than the North. The true *sponsors* of division are the men who voted for the resolution, and the report in question, and they are held to the responsibility involved. No plea of oversight, with regard to the use of terms, can be urged by the Majority, for a Southern man, fearing it might create an insuperable difficulty, moved to strike out the term "constitutional," which the Conference promptly refused to do, and by retaining *stressed* the term, as one to which no little importance was attached. The Majority, therefore, are pledged to the result—a constitutional division of the Church, and any and every effort to the contrary, tending in any way to

prevent such a result, involves the faith and honor of the Conference. The General Conference action, as above, binds the *Church, in law*, as well as on the score of honor and good faith. It is a plain legislative contract, by the supreme legislative power, upon which the South relied and acted, and should the North determine not to keep faith in the premises, *a new issue* is formed, and the question arises, whether the deception attempted to be imposed upon the South does not *rightfully transfer the identity of the Methodist Episcopal Church* to the party keeping good faith in the transaction. Dr. Elliott and others maintained, (and every man who voted for the resolution and report above, must have thought so, or trifled strangely both with his conscience and reputation,) that the plan of division reported by instruction could be carried into effect *consistently with the Scriptures and the Discipline*, and of course constitutionally. The Northern party are bound to a division, precluding all idea of "secession," if truth, honor, and law can bind them, and retreat is impossible, without a sacrifice which must make them poor indeed. In all the proceedings in the case, the one distinct intelligible idea, misunderstood by no one, was a peaceful, constitutional division or separation of the Church. All idea of separation *from the Church* was distinctly disowned and repudiated; and the falsehood of the charge is proved by the express language of the General Conference, in the shape of authoritative instruction. This position, in view of the evidence supporting it, cannot be in the least affected by a thousand denials, however painfully unpleasant it may be, to see the truth of history, as found upon the journals, and in the debates of the General Conference, contradicted by men, who *themselves did*, what they affirm was *not done at all!* That the action of the General Conference was designed and understood to be "constitutional," is inevitable, however that action may have been perverted and misrepresented since. In the General Conferences of 1836 and 1840, it was the opinion of those bodies, with but few exceptions, that it was competent for the General Conference, as proposed by the lamented Cox, to set off the infant Church of Liberia as an independent Methodist Episcopal Church, as had been done before, in the case of Canada. The question of constitutional right, in all these cases, is one and the same, and must, certainly, with the advocates of General Conference *inerrability*, (if not with others,) tend to strengthen our argument. Whatever name it may suit Northern editors or writers to give the proposed Southern organization, such organization is clearly and irrefutably *authorized* by the General Conference. That body agreed, by stipulations, plain and unambiguous as any requirement or prohibition of the decalogue, should the Southern Conferences so elect, *to set them off and allow them to organize a separate ecclesiastical establishment*, as an accredited portion of the great Methodist family in the United States, into which it should be lawful for *any member, minister, or Bishop* of the Methodist Episcopal Church to enter, without *censure or disability* of any kind. And to deny this, in the face of the evidence, accessible to all, is worse than fatuous. It is true the plan contemplates a change of the 6th restrictive article, in order to a division of the funds, and the consent of the Annual Conferences, to this effect, is recommended by the General Conference, but no such consent is made necessary by the plan to *legalize the organization*, should the South find it necessary to organize. If the three fourths vote of the Annual Conferences is not obtained, it only affects the fund question, without, in any way, vitiating the general movement. Should the South see proper to organize without such security, the risk of course is incurred by the South, as to the fund, but the arrangement, as a whole, remains unaffected by the failure. The fact is, there will be no risk finally, as several of the Northern Conferences will, at their first meeting after the formation of a separate Southern connexion, if they redeem the pledges they have given, vote for

the change of the restrictive article, and so remove the difficulty. So far, therefore, no obstacle exists to the new organization. It is urged, however, that the rights claimed, upon the basis of the contract, have been forfeited by the South, because Southern papers, meetings, &c., have held severe language with regard to the North. This may be true, but as equally severe language has been held by the North against the South, any tolerably fair examination of this matter, will satisfy any one that there has been quite as much forfeiture of right North, as South. If this view of the subject should ever assume the shape of a direct issue, it will not be difficult to show on which side the line truth and facts have suffered most from distortion and misrepresentation. Such a plea can avail nothing. The charges of the South against the North are in the Protest, and were formally preferred *before* the plan of separation was agreed to. A war of editors and writers cannot affect the legal position of parties. The plea, to have presented even a show of reason, should have been originally urged upon the ground of the Protest itself. We are strongly persuaded the Northern Conferences, generally, would be unwilling to resort to such a plea, however partizan advocates, and perhaps a few Conferences, may be induced to turn it to what account they can.

Were the Local Ministry and membership admitted to a participation in the legislation and government of the Church, by its constitution and laws, the proposed division, without their consent, would, it is admitted, vitiate the whole procedure, but as it is, it cannot affect either the *ecclesiastical* or *legal* rights of the parties. We speak of things as they are, not as they ought to be, if any should think them not right. Not only has the General Conference twice formally declared that all such right, as to Local Preachers and the people, is *barred by the constitution*, but these bodies themselves have gloried in proclaiming that they have *no such right* as that assumed for them in the argument to which we are replying. That any, all constitutional right of the kind is denied to *any* portion of the Church, except the Traveling Ministry, see report of the General Conference of 1824, also, Dr. Emory's Report in 1828, Dr. Bond's Appeal, and other documents on the same subject, published by authority of the Church, in all which it is definitely assumed that the Local Ministry and Laity have *barred* their natural right, if they ever had any, to all participation in the *governing power* of the Church, by *conventional arrangement*, and that loyalty to Methodism, the peace and good of the Church, and especially the existence and success of the general itinerant system, imperiously require that they should not seek to disturb an organic adjustment, so vital to the interests of all concerned. *Now*, however, the Northern Majority are attempting to rouse, and excite to action, the stupendous popular force which it was *then* contended would inevitably destroy the Church. Why this change? Is it principle or policy? Is the old doctrine discarded, or is it a mere *ruse*, intended for temporary effect, when the old order of things is to be re-asserted? The true question is, have the confederating Annual Conferences a right to say, by their Delegates in General Conference assembled, urgent reasons demanding it, that instead of a single federal jurisdiction, as now, by means of one General Conference, they will divide this jurisdiction into two, the one North and the other South, and let two General Conferences, with equal powers and privileges, within their respective limits, be the organs of federal action, instead of one, as heretofore? And, as the Local Ministry and membership have always been *denied the right* of representation, both in the Annual Conferences and the General Conference, we are curious to know how the Majority, without a change of organic law, can *invest* them with the right to *resist* the action of the one and the other, upon the question of dividing a jurisdiction from which *they* have always been *carefully excluded!* How does it happen that the *concurrence* of these portions of the Church, denied

all participation in the government, by the constitution and the laws, is now necessary to the constitutional action of bodies officially declared to be independent of them, by conventional compact, in their *right* to govern the Church? Did the proposed separation affect the moral laws of Methodism, or the moral relations and interests of Methodists, as Church members; did it involve any change as to faith or morals, ordinances or ceremonies, did it touch the elements of christian character or fellowship, did it propose any material change of government or discipline, the case would be different, and the primary moral rights of the great body of the Church would stand out with commanding appeal. But nothing of the kind is proposed. It is simply a *modal* change, affecting only a single feature of government. All the moral laws and the Discipline of the Church remain untouched. The Annual Conference system and the Episcopacy, the Itineracy, and, in a word, the whole moral and ecclesiastical machinery of Methodism are to remain as before. The only change thought of by the Southern Delegations in the late General Conference, was a division of General Conference jurisdiction, leaving all else unaffected by the change. This, and this only, is specifically set forth in the Southern "Declaration." And this, and this only, is specifically responded to in the "constitutional" plan of division adopted by the General Conference. And the truth of history, the irresistible evidence of facts, intelligible to the plainest understanding, will not be long in making it appear, that those who, under the simulated pretence of defending the General Conference, have represented the South as aiming at the *disruption* of the Church, and a *separation from* it, either do not understand the subject themselves, or are resolved that others shall not. They are either ignorant of the facts in the case, or perversely misrepresent them, with intention to deceive. We state what we know many North, as well as South, avow themselves *compelled* to believe. How far men may rely upon their own pre-conceptions and prejudices as correct, and proceed to affirm and dogmatize upon such authority, without examination, and thus falsify the truth of history, and even the publicity of official acts and records without *intending* to do it, is a matter about which we shall not pause to speculate. Those interested can solve the question at their leisure. Meanwhile, the evidence accumulating upon the subject, may, at no distant day, form an element of history as curious as it will be valuable, and a chapter certainly not more humiliating than it will be found irrefutable. The North arranged, approved, and adopted the plan of division conjunctively with the South. They had a majority of two-thirds both in the committee and the Conference. That their honor and good-faith are pledged to carry it into effect, is a position few, it is believed, will be prepared to question. They cannot recede with any claim to truth or fairness. The act was a stipulation in form, and cannot be recalled. It is matter of history, and cannot be denied. The plan of separation is a plain contract, and any attempt to evade it, by either party, would involve shameless dishonor. The Majority are bound, if they can be bound by any pledge man can give to man. All who attempt to frustrate and defeat the plan agreed upon, are at least, resisting the action of the General Conference. The opposition to the plan, ostensibly urged upon the ground of constitutional difficulties, commands respect, so far as these difficulties are pointed out, and assume the shape of argument, and it has been our aim, in this discussion, to meet and dispose of such difficulties with fairness and candor. The outcry and declamation we have had on this topic, are perhaps best answered by showing in how many ways those who are thus trying to excite alarm, have either so offended themselves, or have witnessed the violation of the constitution and laws of the Church, by others, without any apparent sense of obliquity or disapproval. But too many have furnished evidence that their difficulties, in this respect, are strangely one

sided, and connect with whatever contravenes their wishes. For example, the doctrine of the Majority, as represented by the Reply, and also by Bishop Hamline and others, is, that it is constitutionally competent for the General Conference to do any and every thing not forbidden by the restrictive rules, and by taking this broad position, which they cannot deny, it is declared competent for the General Conference to authorize, as they did, a separate Southern organization, as all know this is not denied to the Conference in the restrictive rules. Their own exposition, therefore, of constitutional right, is at war with the present doctrine of the party, unless misrepresented by their own official organs.

Among the many logical fatuities brought to view in this controversy, may be ranked the attempt to show that the term separation, in the plan adopted by the General Conference, was used to denote not what it properly means, but "secession." The meaning of the term will be determined at once by an examination of the "declaration" of Southern delegates—the resolution of *instruction* and the report of the committee of nine, adopted as the plan of separation. In their brief and unpretending declaration, the delegates from the Southern Conferences simply inform the General Conference "that the *continued agitation* of the subject of slavery and abolition, in a portion of the Church, the *frequent action* on that subject in the General Conference, and especially the extra-judicial proceedings against Bishop Andrew, must produce a state of things in the South, which renders a continuance of the jurisdiction of this General Conference over *those* Conferences inconsistent with the success of the ministry in the slave holding States." The obvious and only meaning of this language is, the Southern Conferences cannot succeed in the great objects they have in view, while controlled by the abolition and anti-slavery majority of the North, and the reasons why they cannot, are clearly specified. Is there any thing revolutionary or schismatic in this? Does the declaration lack manliness or moderation of either tone or temper? Upon this declaration the committee was raised, and acted under the following instruction: *Resolved*, That the committee be instructed, to devise, if possible, a *constitutional* plan for a *mutual* and *friendly division* of the *Church*." That is, a "division of the Church" so far as prayed for—releasing the Southern Conferences from the control of the Northern majority, by allowing them a separate organization. Both the declaration and the resolution are in strict conformity with the closing sentence of the Protest, "it is believed, it will be found practicable to devise and adopt such measures and arrangements, present and prospective, as will secure an amicable *division of the Church* upon the broad principles of right and equity." Thus showing what kind of division *only* was had in view. The committee did not ask to be released from the instruction given. They did not intimate that they could not perform the duty assigned them. They reported under the binding control of the instructions received, without giving notice in any form, that they had found it either necessary or expedient to swerve. If they did not intend their report as a "constitutional plan for the division of the Church," they betrayed a solemn official trust and deceived the Church North and South. The Majority, when they had it perfectly in their power, refused to release them, as we have seen, from the "constitutional" restraint; and under these circumstances, they cite the thirteen Southern Conferences as representing in their Declaration, "that for various reasons enumerated, the objects and purposes of the Christian Ministry and Church organization, cannot be successfully accomplished by them, under the jurisdiction of this General Conference *as now constituted*." Showing that the sole difficulty was connected with the federal jurisdiction of the General Conference, and that a division of this so as to place us *from under the oppressive* control of abolition and anti-slavery, was all

that we prayed for. Hence the committee say, "in the event of a separation—a contingency to which the declaration asks attention, as not improbable, we esteem it the duty of this General Conference, to meet the emergency with christian kindness and the strictest equity," So also, "should the *Annual Conferences* in the slave holding States, find it necessary *to unite* in a *distinct ecclesiastical connection*, the following rule shall be observed with regard to the Northern boundary of such connection." It is a *geographical* division, in view of securing a separate and independent *jurisdiction* in the South. The report decides that all Societies, Stations, and Conferences, belonging to *either* side of the line of separation, shall *so belong* by simply "adhering by a vote of a majority." If so to adhere *South* is "*secession*," why not *North*, as precisely the same expression is used in both cases? So "adhering" they are to remain under the *unmolested* pastoral care of the Church "adhered" to. Ministers on either side the line are expressly forbidden to attempt, in any way, the formation of Churches or Societies upon the other. "Interior charges *shall in all cases*, be left to the care of *that Church* within *whose* territory they are situated." "Ministers, local and traveling, of every grade and office in the Methodist Episcopal Church, *may as they prefer* remain *in that Church*, or without blame, attach themselves to the Church South." Thus most clearly showing that the Southern division was to be recognized as a *Church proper*, not less than the Northern. The report calls the boundary "the line of *division*." It speaks of the proposed Southern division, as "a distinct ecclesiastical connexion"—"the Church in the South—the Southern Church—Church South—that Church—the Southern organization—the Church so formed—the Conferences South." The latter even after separation, are recognized as rightful claimants for a portion of the chartered fund. The division of the book concern is a *transfer* upon the ground of admitted claim. Now is it possible that all this could take place among men of sense and upright purpose, if it had been intended the South should be a "*secession*." We regard it as impossible. Meanwhile we have seen that nothing has occured since, to change, alter, or nullify in any way, the stipulations binding the parties. The general view we have taken is fully and fairly sustained by the debates. Dr. Elliott said of the plan, that "it would insure the purposes assigned, and would be for the best interests of the Church—was a proper course for them to pursue in conformity with the Scriptures—all history did not furnish an example of so large a body of christians remaining in such close and unbroken connection; it was found *necessary to* separate; the Churches at Antioch, Alexandria, and Jerusalem, were as *distinct* as the Methodist Episcopal Church would be if the suggested *separation* took place; to this conclusion they *must* eventually come; the measure contemplated was *not schism* but *separation* for their *mutual* convenience and prosperity." Rev. Mr. Griffith, hostile to the whole plan, urged among other things, that it gave no choice to interior charges, "if they wished to be members of the *Methodist Episcopal Church*, whether it should be *the Southern* or *the Northern*." Dr. Paine, Chairman of the committee, spoke of the South as likely to find it necessary to "carry out the *provisions of this enactment*"—of a Southern "convention" resolving on an "organization" in accordance with the provisions of the report; the measure had been concocted in the spirit of compromise and fraternal feeling, in the hope of preventing agitation and schism." Dr. Luckey said "he regarded the resolution, (the first,) as *provisionary*, providing in an amicable, proper way, for such action as might hereafter be necessary; if the separation were necessary. it ought to be amicably and *constitutionally* effected, and there was *no intention* of doing it *otherwise*. Mr. Wesley saw it necessary to permit the connection in the United States *to separate*." Dr. Bangs says of the committee, being a member of it, "they were instructed by a resolution of the

Conference, *how* to act in the premises. They were to *provide for separation*, if they could do so *constitutionally*—they had presented this report, from which the Conference would see they had at least *obeyed their instructions* and had met the *constitutional* difficulty, by sending round to the Annual Conferences, *that* portion of the report which required *their* concurrence, The Laws, Discipline, Government, *all* would be the same. The South asked a *separate Conference*, adapted to the institutions of *that portion* of the country." Rev. Mr. Fillmore, another member of the committee, remarked significantly, "Methodism, as the child of Providence, adjusts herself as she had always done, to the circumstances of the case; she proposed that if these fears (of the South,) proved well grounded, they *divide into bands*, and go on spreading holiness through *their* respective territories; the plan simply makes *provision* for such "contingency." Rev. Mr. Finley could see nothing "*unconstitutional*" in the plan. "The parties stood precisely *alike*—there was a *great gulf* between them and he wished there was *middle* ground on which *both* could stand. Mr. Wesley *separated* the American from the English Church; the General Conference gave the Canada Conference *liberty* to do just what *they now* proposed to do with the South; we are now doing *nothing more than we did then.* Bishop Hamline, also of the committee, alluding to the first resolution, which gives character to all the rest, said, "the committee thought *it could not be objected to on the ground of constitutionality.* He for one, would wish to have his name recorded affirming them to be brethren, if *they* found *they must separate.* The article referred to the Annual Conferences had not, *necessarily*, any connection with division as agreed by all." Rev. Mr. Porter, one of the committee, said, "the time was coming when *separation must* take place. The difficulty was *greater* now than it was four years ago, and would *increase.*" Dr. Winans, of the committee, declared, "the only proposition was that they (South,) might have *liberty*, if necessary, to organize a *separate* Conference, and it was important that they should know at an early period, that they had such liberty." Finally, hear Drs. Durbin, Peck, and Elliott: "The proposition for a peaceful *separation*, has already *been met* by the General Conference, by a vote which would doubtless have been *unanimous* but for the belief that *some* entertained of the unconstitutionality of the measure;" thus declaring that the General Conference had made what was regarded by nearly all, as a "constitutional" provision for the separation of North and South, into two distinct ecclesiastical connections.

A recent perversion of the facts of history, in the Western Christian Advocate, is worthy of notice in this connection. It is broadly affirmed that the committee, upon Dr. Capers' resolutions, took the ground that no division of the Church, as to General Conference jurisdiction, could take place constitutionally, and the inference is thence pressed, that a constitutional separation of the Northern and Southern Conferences, could not have been thought of in the instance of the plan finally adopted by the Conference. In reply, it will be proper to observe: 1st. That the plan of Dr. Capers was that of an individual, and was brought forward by the Dr. upon his own responsibility, without the knowledge or concurrence of the Southern Delegations. It was a proposition from Dr. Capers to the North and South equally. The committee very generally agreed, that the subject coming up in this form, presented serious, if not insuperable difficulty. It must not be overlooked, that the proposition from Dr. Capers preceded the Southern declaration, which gave a new aspect to the whole subject. And we now state what will be abundantly proved whenever it is necessary, that leading men of the Majority, in and out of the committee under notice, assured Southern Delegates, in and out of the committee, that the question of separation could not be approached by the General Conference, *safely and constitutionally, except upon a declaration of grievo*

prevent such a result, involves the faith and honor of the Conference. The General Conference action, as above, binds the *Church*, *in law*, as well as on the score of honor and good faith. It is a plain legislative contract, by the supreme legislative power, upon which the South relied and acted, and should the North determine not to keep faith in the premises, *a new issue* is formed, and the question arises, whether the deception attempted to be imposed upon the South does not *rightfully transfer the identity of the Methodist Episcopal Church* to the party keeping good faith in the transaction. Dr. Elliott and others maintained, (and every man who voted for the resolution and report above, must have thought so, or trifled strangely both with his conscience and reputation,) that the plan of division reported by instruction could be carried into effect *consistently with the Scriptures and the Discipline*, and of course constitutionally. The Northern party are bound to a division, precluding all idea of "secession," if truth, honor, and law can bind them, and retreat is impossible, without a sacrifice which must make them poor indeed. In all the proceedings in the case, the one distinct intelligible idea, misunderstood by no one, was a peaceful, constitutional division or separation of the Church. All idea of separation *from the Church* was distinctly disowned and repudiated; and the falsehood of the charge is proved by the express language of the General Conference, in the shape of authoritative instruction. This position, in view of the evidence supporting it, cannot be in the least affected by a thousand denials, however painfully unpleasant it may be, to see the truth of history, as found upon the journals, and in the debates of the General Conference, contradicted by men, who *themselves did*, what they affirm was *not done at all!* That the action of the General Conference was designed and understood to be "constitutional," is inevitable, however that action may have been perverted and misrepresented since. In the General Conferences of 1836 and 1840, it was the opinion of those bodies, with but few exceptions, that it was competent for the General Conference, as proposed by the lamented Cox, to set off the infant Church of Liberia as an independent Methodist Episcopal Church, as had been done before, in the case of Canada. The question of constitutional right, in all these cases, is one and the same, and must, certainly, with the advocates of General Conference *inerrability*, (if not with others,) tend to strengthen our argument. Whatever name it may suit Northern editors or writers to give the proposed Southern organization, such organization is clearly and irrefutably *authorized* by the General Conference. That body agreed, by stipulations, plain and unambiguous as any requirement or prohibition of the decalogue, should the Southern Conferences so elect, *to set them off and allow them to organize a separate ecclesiastical establishment*, as an accredited portion of the great Methodist family in the United States, into which it should be lawful for *any member*, *minister*, *or Bishop* of the Methodist Episcopal Church to enter, without *censure or disability* of any kind. And to deny this, in the face of the evidence, accessible to all, is worse than fatuous. It is true the plan contemplates a change of the 6th restrictive article, in order to a division of the funds, and the consent of the Annual Conferences, to this effect, is recommended by the General Conference, but no such consent is made necessary by the plan to *legalize the organization*, should the South find it necessary to organize. If the three fourths vote of the Annual Conferences is not obtained, it only affects the fund question, without, in any way, vitiating the general movement. Should the South see proper to organize without such security, the risk of course is incurred by the South, as to the fund, but the arrangement, as a whole, remains unaffected by the failure. The fact is, there will be no risk finally, as several of the Northern Conferences will, at their first meeting after the formation of *a separate* Southern connexion, if they redeem the pledges they have given, vote for

is not prohibited by the constitution nor by law, and the General Conference has full power to make rules and regulations necessary to the common welfare of the Church, if that body believed separation necessary to such welfare, (as they must have done or would not have provided for it,) the claim of constitutional right seems to be a necessary inference, and thus strengthens the general argument.

Moreover, this whole question as to constitutionality, is varied by the peculiar character of its subject matter. Were it a question of either faith or morals, properly, (although not included by the restrictive rules) we should be inclined to prefer (notwithstanding constitutional right) that the Annual Conferences, rather than their Delegates in General Conference assembled, should settle it. (A *novel doctrine or practice* not inconsistent with the "Articles of Religion" or "General Rules," would be of the kind we mean.) But such is not the character of the question. The true original issue between the parties is, a *difference of opinion, political and religious*, as to the *lawfulness* and *consequent moral character* of a *civil relation, created* and *protected* by the *supreme* and *municipal* law of the country; and the *right*, further, of ministers and members of the Methodist Episcopal Church *to sustain this relation*, without detriment to their *other* relations and interests, whether *as citizens* or as *professors* of christianity. On this question the Nation and the Church, as the general rule, divide *territorially*, as the States admit or exclude slavery. The slave States being a minority, and the same being true of the Southern division of the Church, both originally refused to leave this question unsettled, and to be at any time determined by the Majority, and sought protection, the first by the treaty provisions of the federal constitution, and the second, by attempts from time to time, as fully shown in these pages, to procure the enactment by the Church, of such conservative and permanent laws, as would be most likely to secure to the South the ends of social justice. As therefore, it is the first and most fundamental function of every constitution, to achieve the objects of the organization to which it relates, and the moral unity and enlarged influence of the Church must rank among these, if it be found, as no one can doubt, after the solemn attestation of sixteen Annual Conferences, that the course of the Majority, (being little more than one half of the Church,) must necessarily injure and depress the Minority, we repeat, these things being so, the *right of remedy* must accrue *under the constitution*, even where the consent of the Majority is wanting. We introduce this argument to show, that were the Church North to adopt the malign advice of its public organs and special agents, and attempt to drive us off as a secession, it *could not do so*. Not having violated any law of the Church, as even our revilers admit, and not intending any change with regard to its Faith, Morals, or Discipline, the *constitution protects us* and we rest secure. In the event we are treated by the North as threatened by the conspiracy of the Press against General Conference authority and Southern interests, beside the means of redress left us, we shall have the proud and cheering consciousness of high vantage-ground in being chargeable with no *Punic stain* in retreating from the obligations of a plain public engagement, or trifling with the sacredness of a grave, official trust. In such a cause, and so sustained, we can afford to suffer.

The *civil condition and relations* of the societies in North America, are assigned by Mr. Wesley as the ground of "separation" between the British and American Methodists. The *same* reason specifically was assigned in the instance of the Canada "separation." In both these instances, the Church was "divided" by the highest authority in it. If the reader will turn to the Declaration, Protest, and Debates, so often alluded to, he will find that a precisely *similar* reason is urged as the *sole* ground of the separation now pending in the Methodist Episcopal Church. It is asserted, however, that

there is "no necessity of division," and it will be proper to notice by whom and upon what grounds this is assumed. Did the General Conference leave the question of necessity to be determined, as it has been by the dogmatism and impertinence of the Press? The "Southern Conferences" were constituted the judges by express enactment and stipulation in the plan of separation. The sixteen Southern Conferences have decided the question with unprecedented unanimity. The question has been settled by the tribunal to which the General Conference referred it, and of course by the only one having any right in the premises. The "Southern Conferences" had by *consent* and *contract* of parties, the sole arbitrement of the question. Any attempt, therefore, to control the result by Northern interference, is not merely a gratuitous meddling with the subject, but a breach of good faith. Certainly when the General Conference left the decision wholly and absolutely with the Southern Annual Conferences, and pledged themselves to abide the result, it was not expected that the intrusive dictation of the Press would thwart their purposes, by appealing the case to a different tribunal. The defence of the action of the Majority in their course against slavery was to be expected, and is not excepted to on the ground of right, but the attempt as we have explained at length, to defend the action of the Conference in *this* case, and yet *impugn and set it aside* in the other, although equally bound to defend both, is such a manifest abuse of official trust, such an outrage offered to the good sense and virtue of the appointing power, that but for the high state of party feeling in relation to the South, such official malversation would not be tolerated for an hour. It is really grateful to be able to turn from the gross injustice thus done, not less to the South than to the North, and attend to the rational and manly decision of Dr. Elliott: "We are persuaded *distinct organizations must exist* in the *nature of things*, in the Methodist Episcopal Church in the United States, and that *necessity* and *scripture principles* will *inevitably enforce* them. We believe that the *unity*, purity, power, and extending influence of Methodism, may be promoted by these means." So thought Wesley when he set off the American societies as a distinct organization. So thought the British Connexion in giving the Irish Conference distinct organic being. So thought the Methodist Episcopal Church in setting off the Canada Conference as a distinct organization. So thought one hundred and forty seven members of the late General Conference against twelve, in relation to the proposed Southern organization. That the right and power to declare, by consent of parties, one portion of the Methodist Episcopal Church an independent and separate organization, with regard to every other, have been assumed and exercised by the General Conference, and acquiesced in by the whole Church as constitutional, can only be doubted by those who are ignorant of the facts. No sophistry can misconstrue the following resolution of the General Conference of 1828: "*Resolved*, That the *compact* existing between the Canada Annual Conference and the Methodist Episcopal Church in the United States *be*, and *hereby is dissolved*, by *mutual* consent." If the "compact" between *one* Annual Conference and the Church, can be constitutionally "dissolved" by the General Conference, it can be done in relation to *any number*, as the compact in every instance is precisely the same. The General Conference avows the adoption of the above resolution in view of a "separate Church establishment," which the Conference expressly acknowledges to be (in prospect) a Methodist Episcopal Church, and the Bishops are requested to ordain a Bishop for the new "Connection," so called by the Conference, and no reasoning can invalidate the conclusion that the action of the General Conference in this case, based upon the declaration and request of the Canada Conference, gave birth to the "Methodist Episcopal Church" of Upper Canada. How fully and forcibly this applies to the separation of

the Southern Conferences, will be seen by all. The reasons in both cases originate entirely in a *necessity* created by *civil relations and interests*, and are therefore, essentially the same, so far as principle is involved. But notwithstanding all this editorial dictation, in defiance of General Conference *action* and *avowal*, as we have shown, in utter disregard of the facts and the evidence in the case, in perfect contempt of their own glorified majority theory, and the men who employed them *as their representatives*, by electing them to office, in defiance too of their virtual pledge to sustain the body at whose hands they accepted office; despite all these, if Editors could be believed, we are to be a "secession," or else (unlike Editors) submit to whatever the majority may choose to impose upon us. It would be no difficult task to take the leading postulates and general reasoning of some of our Northern papers, and prove the Editors of them to be "seceders" from the Methodist Episcopal Church, to the full extent it is possible to believe what they offer in the shape of premises and conclusions. By every argument they offer, proving us to be seceders because we resist the will of the Majority, they publish themselves as *such*, inasmuch as they are doing the same thing. The cases we know are not exactly similar, but the circumstances making them differ are in our favor, as elsewhere shown. We gave notice to the Majority, by formal protest, *before* the action of the Conference was *final*, that we would not submit. Did our Editorial Nullifiers of General Conference action, either before or after their election, inform the Conference that they should resist its will? Had this been so, who does not know that no one of them could have been elected? Holding the principles they now avow, did not honor and fair dealing require that they should do so? If they have since changed their principles, how can they honorably continue at a post they know they could not have occupied, had such change been known, or rather with the views and principles they now avow? Is there no abuse of privilege, no betrayal of trust in all this? Beside, these men are not constitutional officers; they are mere special Agents, holding office temporarily, while the Southern Conferences are constitutional contracting parties in the organic structure of the Church, and as such, have rights which no sensible man will think of in connection with special temporary Agents. But further: these Agents, although unknown to the constitution, and as such, constituting no part of the Methodist Episcopal Church, have so usurped right and magnified their official consequence, as to declare in substance, a law of the General Conference null and void, by various attempts to induce the Annual Conference and the Church not to regard it as binding, but to treat it as a "nullity," and promising indemnity at the same time, in the event of such resistance. Let the Bishops and General Conference give their opinion of such conduct: "we regard it as of unhappy tendency, that either individual members or official bodies should employ terms and pass resolutions of censure and condemnation on their brethren, and on public officers and official bodies, over whose actions they have no legitimate jurisdiction." What is the jurisdiction of our censors in the case under notice? We have said, were they constitutional officers, it would be different. As it is, they have no rights except such as they derive from those who employ them. But for the authority they defy and set at nought, they would have no right to speak at all—would not be found indeed in the places they occupy. How entirely different our position is we have shown. We exercised the constitutional right of a Minority, and refused submission from the moment the wrong was inflicted. We demanded reparation on the ground of law and constitutional right. When the Majority said they could not recede, we then asked for a division of General Conference jurisdiction, that in future, as a large substantive portion of the great Methodist family, we might not be re-subjected to similar treatment and difficulty; and this was thought

by the Southern Delegations, and assured us if such declaration were made, it would be in their power to extend to us the relief prayed for, that is, that the Southern Conferences might be from under the control of the Northern Majority—this being all we wanted. Upon the basis of this assurance, a brief, informal, but explicit declaration was presented, and the well known committee of nine appointed, and instructed to report, if practicable, a "constitutional plan" for the "division of the Church." It was too, to be a "*mutual* and *friendly* division." The constitutional difficulty as to power and right, was presumed to be removed by the declaration, which placed the proposed separation on the ground of *necessity*, as the great objects of the ministry and Church organization could not, in the South, be carried on without it. The actual grounds of the necessity being set forth in the declaration of thirteen Annual Conferences, was supposed to change entirely, the constitutional aspects of the question, and give the committee and Conference right and power beyond any thing presumed by either party, in the case of Dr. Capers' resolutions, and *hence* the instruction given to report a "constitutional plan." It follows, therefore: 2nd. That any attempt to infer the alledged unconstitutionality of the plan adopted, from the opinions of the committee respecting the plan of Dr. Capers, is unfair and unauthorized, in view both of the logic and the facts of the case. The grounds of action being essentially different in the two cases, the reasons and motives influencing men of sense, could not have been the same, and accordingly what was deemed unsafe and impracticable in the one, was agreed to as safe and advisable in the other. And the whole objection being thus obviated, the preceding reasoning remains in all its force, in favor of the constitutionality of the plan of separation as *projected* and *sanctioned* by the Majority. Bishop Soule, speaking of Finley's resolutions, says, "not a doubt remained with me, that the adoption of the resolution would result in a *division of the Church.*" He adds, "measures were finally adopted by the Conference, *providing* for a peaceful and equitable separation between the North and the South." Dr. Olin says, "the *provisional* plan of the General Conference was avowedly based on an *anticipated necessity* expected to result from the state of public sentiment at the South, and from the peculiar relations of the Southern Church to existing institutions. The *only wish expressed or manifested* was that *the two great divisions* into which our Israel hereafter must be organized, should occupy positions *the most favorable* to the discharge of their high obligations to the world and its Saviour." This is a faithful report of what actually took place. It is a statement strictly conformed to the facts of the case, and future developements will sustain its truth, despite a thousand malignant editorials and other efforts vainly attempting to make it appear that the South was to leave the Church as a secession. Every true friend of Methodism will read the following burning sentence from the same pen, with prophetic interest: "I shall look upon the Methodist Episcopal Church as *forever dishonored*—I shall look for some *signal mark of the Divine displeasure*, if after sufficient time has elapsed, to test the insufficiency of all plans of compromise, she shall *decline* to adjust on *equitable* terms, *all* the questions that *must arise* from the *separate organization.*" There is one other view of this subject, to which we should call attention. Great consequence has been attached to an argument against division, on the ground that unless the Annual Conferences, by a three fourths vote, shall authorize the General Conference, that body has no right or power to act at all in the premises. This argument is good for nothing, because it cannot apply, unless it can be shown, that the question of separation is covered by the *restrictive rules*, and as this will not be attempted, it further follows that it was entirely *and constitutionally* competent for the Annual Conferences to act as they did, through *their representatives* "in General Conference assembled." As the separation proposed

the General Conference or not, the holding of the Convention will be a *regular Church procedure*, accredited in proper form by the highest authority of the Church, and in no sense whatever an irregular revolutionary movement. Several of the Northern Conferences not voting for the change of the sixth restrictive rule, at their recent sessions, have intimated their intention to do so, should the South resolve to organize. And it is confidently believed that not more than three or four of all the Northern Conferences, *if a single one*, will finally endorse the doctrine of the Northern Commissioners for the division of the Church funds, that we are not entitled to a pro rata share of them, unless we consent that what the General Conference calls *'a constitutional division of the Church,"* is really nothing but a "secession" *from* it! We shall see. The South did not expect, did not even wish to be called *the* Methodist Episcopal Church in the United States. They had no desire or purpose to usurp or supplant, in this respect. It was very generally agreed among the Southern Delegates, that if allowed to separate, as the General Conference authorized, with their just share of the Book Concern and Chartered Fund, and holding their *own* Church property, they would be known as *"the Southern Methodist Episcopal Church."* They were only anxious to preclude all idea of *secession* from the Church, or departure of any kind from the great principles of American Methodism. Securing this last result, we are by no means ambitious as to title, or the name by which we are to be known. We intend to be understood, however, both as it regards our *principles* and *action*. If denounced and defamed as a "secession," by the *Church* North, as we have been by Northern Church Editors and others, it will remain to be decided by other men and other methods, *what* has essentially constituted the Methodist Episcopal Church since 1784, and in what the South has departed from it. The North will not be permitted to settle this question, any more than the South. The party adhering to *law and usage* will be the true Church, whether North or South, Majority or Minority. We cannot be unapprised of the united effort of partizan leaders and portions of the Church, from Maine to Illinois, to produce the conviction and spread the alarm that the South is about to become a "secession." And among the means employed, is the rallying shout for the *union* of the Church by the very men *who dug its grave*. Herod East, and Pilate West, the abolitionist and conservative, have simulated the sacrifice of dislike and enmity upon this fancied altar of their own erection, and in hope of realizing the purposes for which they "made friends;" are likely to relish with no common zest, the "feast of charity" which is to give to oblivion the "bitter herbs" of their former intercourse, or it may be want of it. The South never thought of a separate organization, until it became necessary to preserve Methodism as it was before the innovations of the last General Conference. It was the only remedy left us for correcting the effects of an abuse of trust by the Majority, and for doing this we are subjected to the abuse and villification of exasperated partizans, as "dividers" of the Church and "seceders" from it. Do our enemies hope to divert attention from the true issue by a resort to such methods of vague *ad captandum* imputation, unsupported by the suffrage of facts or the semblance of truth? We believe we have already submitted a sufficient amount of evidence to prepare the reader to determine, with which party originated the *necessity* of division, and to whom rightfully belong the epithets "divisionists, seceders, &c.," so liberally applied to us. The Majority have earned the distinction at no common cost, and history will see that they are not deprived of the honors they have won.

It may be well here to recur to a former topic: It has been urged with imposing emphasis, that the division of jurisdiction proposed, will tend to a dissolution of the political Union *of the States, North* and South. In our judgment, however, its direc

tendency will be to prevent it. That the controversy in the Methodist Episcopal Church for the last twelve years, has tended to such a result, few will doubt; and all agitation of the question of slavery, must, of necessity, continue to do so. If we do not separate, it is morally certain we shall have nothing but agitation on the subject. In the event of a separation, after a brief border, and perhaps some intestine war, the fair probability is, we shall have peace, and the business of agitation subside entirely, or at least nearly so. The rights and feelings of the parties will reciprocally command, and bring about a state of comity and good feeling infinitely more favorable to the stability of the National Union than the existing state of things, and the exciting agitation consequent upon it. In any event, should the Northern abolition crusade continue and gain strength in its political aspects, the safety of the Union must be endangered in proportion, and no man can hide the threatened evil from his eyes. It must be seen and looked forward to. As the friends then, and uniform supporters of the National Union, what are we, as Southern Methodists, called upon to do? Obviously to select that course of policy and action which will be best calculated to repress abolition excitement and agitation, and so far as the Methodist Episcopal Church is concerned, if correctly represented by the Majority in the late General Conference, and the course there indicated is to be persisted in, we regard separation as the only mode of doing it. The charge insinuated against the South, in at least one, if not more of our General Conference organs, that they are disposed to favor the views and designs of men whose political course and purposes aim at a dissolution of the Union, and that they are probably acting in concert with them, is as truthless and unfounded as it is insidious and dishonorable. One of the grave and influential motives which determined the South to protest against the proceedings of the North, was to prevent an impression South, that a Northern anti-slavery majority might trespass upon Southern rights to any extent they felt inclined, without resistance by the Southern Ministry, and thus increase the difficulties already existing between the free and slave holding States. It was, and continues to be, the belief of the Southern Delegates, that nothing but a generous and manly adherence to the compromise of the Federal Constitution, on the subject of slavery, can possibly perpetuate a union originally based upon it. And believing the Methodist Episcopal Church in the North was infringing that compromise, by ecclesiastical action in violation of political right, they knew existing evils in the South would be greatly, if not hopelessly aggravated, did they allow themselves to become unresisting parties to the encroachment complained of. And taking the same view of both political and church parties, they were led to look upon a separation of General Conference jurisdiction as most likely to prevent, as far as the Church was concerned, final and incurable disunion in the one and the other. One thing is certain, unless rigid adherence to law and right is proof of an attempt at disunion, the South needs no vindication against the charge. And it is equally certain, that by how far infringement of law and right, as shown in these pages, tends to disunion in Church and State, to the same extent are those who bring the charge against the South, guilty of it themselves. We have seen how the compromise of the Constitution of the United States, the great national compact, is being infringed and set aside by abolition and anti-slavery propagandism. We have seen how the corresponding legislation of the Church has been superseded by the tactics of a loose and reckless expediency, and such defection from law and right, and failure to maintain and assert the claims of relative and social justice, will explain to men of sense and candor at whose door lies the charge of undermining the foundations, and invading the sanctity of the National Union. The *Bishops say, in their* address, in 1840, and might have repeated it with equal truth in

1844, "at the last session of the General Conference the subject of slavery, and its abolition, was extensively discussed, and vigorous exertions made, to effect *new* legislation upon it. We regret that we are compelled to say, that in some of the Northern and Eastern Conferences, in *contravention* of your christian and pastoral counsel, and our best efforts to carry it into effect, the subject has been agitated in *such forms*, and in such a *spirit* as to disturb the peace of the Church." Would to God the Church of our common love had learned the lesson in time, before it was too late to prevent the calamity already upon us, that whenever the Bible ceases to be the deep, and broad, and *one* foundation of our religious convictions, all is unsafe and in danger, because at the mercy of unbridled fanaticism! Who, then, are the true "divisionists" in this controversy? Will not the common sense of the Church and the world decide that those with whom, or rather connected with whose conduct, originated the necessity of division, are the persons or party really entitled to the distinction, and exclusively accountable for the result? That it was the Northern party who took new ground upon the slave question, we have, as we think, clearly proved in this discussion. That they took ground equally new and untenable, on the Episcopal question, we shall have occasion to show in the sequel. That they, and not the South, have departed from law and order, we think susceptible of the clearest demonstration. That they have recently manifested a most striking proclivity to change, a prurient appetence for innovation, will scarcely admit of doubt. How far such mental and moral habitudes may be characteristic of the North, rather than the South, we shall not take upon ourselves to determine, but leave them to verify or disprove the statement of Robertson, the Historian, with regard to the good old stock, their ancestral types: "from the first institution of the company of Massachusetts Bay, its members seem to have been animated with a spirit of *innovation* in *civil policy* as well as *in religion*; and by the habit of rejecting established usages in the *one*, they were prepared for deviating from them in the *other*." Connected with the supposed tendencies in question, we have seen what has been the influence of interest and policy. A Northern Clergyman says, "the different physical features and agricultural productions of the South and North have more than the force or absence of proper moral feeling, banished slavery from the one, and perpetuated it in the other. Had New York, New Jersey, Pennsylvania, or even New England, produced cotton, rice, indigo, and sugar, it is not improbable slavery would have continued in these States, and increased its numbers here to this very hour." Many of the first men of the North have expressed similar opinions, and proved their sincerity by the magnanimity of their conduct.

If the Church be a unit, in the sense insisted upon in this controversy, not only *one*, but indivisible, it must, of necessity, by means of such mystic unity, be connected with slavery, in all its sections, in New York and Boston as well as Charleston and New Orleans. If that unity, as has been contended, turns mainly upon the Traveling Ministry, as holding and exercising the *governing power* of the Church, it follows, of course, that the whole ministry, so far as it is a unit, is connected with slavery, because slave holders are found both in its own ranks and throughout a large extent of its pastoral charges. Who can forget with what revolting horror the frightened North prayed that slavery might not be "returned and rolled back" upon them. But what meant this devout deprecation? Had it really any meaning at all? Slavery returned—rolled back upon the North, without adding a solitary human being to the number of either slaves or masters! And what makes the matter still more difficult to be understood, all this evil befalls the North without any change even of relation in the instance of any one of all *the thousands concerned*! Plainly, however, Bishop Andrew must no

go North, and so we say too. But in all his constitutional relations, as Bishop of the Methodist Episcopal Church, *he is North* as well as South. He is Bishop there, *by right*, and was so declared by *Northern* votes in May last. His official jurisdiction, by *consent* and *decree* of the Majority, slave holder though he be, extends to every Conference, District, Circuit, Station, Church, Pulpit, Fireside, and Closet. He is Bishop of the whole North, *by law and right*. To say he rightfully sustains the *relation*, but is not allowed to perform its *duties*, only makes the matter worse. The reason of the result is not found in the fitness of things. If it be said he is merely *requested* not to perform its duties, it is still worse, for it is left to the Bishop himself to say whether he will discharge the obligations of a trust, which law, and the vows of office require shall be discharged with unrelaxing fidelity. The general evil complained of, is increased too, by another view of the subject. How many Northern men, not a few of whom are now abolitionists and anti-slavery agitators, have been ordained by Bishop Andrew during the last nine years, and since his connection with slavery, and have thus become the medium through which the evil has been returned and rolled back upon the North? What is to be done in this case? If there has been defilement, how is it to be got rid of? What would be the effect of the re-imposition of hands by an Abolition Bishop? Will it be tried? But again, the Majority claim Episcopal power for the General Conference. According to the traditions of 1844, they are the *ordainers* and *administrators*, by the Ministry of the Bishops, as their mere agents, removable at will, and as such, the General Conference, North and South, are annually, and have been for half a century, ordaining slave holders, and recognizing the *scriptural lawfulness* of the evil of slavery, in all the forms and relations of church administration, and hence, connection with slavery in another form; and what, we ask, is to be the remedy in this case? Has it been duly considered at the North, to what extent the entire Episcopacy is connected with slavery, by annually ordaining, with the consent of the whole Church, scores of slave holders, and sending them out in the name of God to preach the Gospel, and exercise pastoral supervision in the various fields of Church enterprise? In view of this multiform connection with slavery, what will the Church next attempt North?

The plan now seems to be, to drive off the South as a secession. But this cannot be, as we have seen, without subverting the authority of the General Conference, and to do this, is to destroy the existing government of the Church. We know many Northern men who are trembling at the audacity of the experiment. They perceive the effect must recoil upon the North. It is perceived that if they nullify the action of the last General Conference, *that* of the *next* may be nullified in like manner, no matter to what it may relate; and hence, an interminable train of evils, tending to the overthrow of all government. If, for the good and sufficient cause we have shown, the Southern movement in Bishop Andrew's case be regarded by the North as so extremely dangerous, why is it, that in an attempt to correct our error, they commit a precisely similar one, with the manifest disadvantage against themselves, of not having anything like the same indemnifying reasons for their action.

But we are sagely told the General Conference only authorized a "friendly" separation. By "mutual and friendly division," was certainly not meant, as Editors and others contend, that any manifestation of improper feeling, North or South, would vitiate the contract, and "nullify" the official action of the General Conference, but simply that the separation, upon fixed terms and specified conditions, was to be *mutually* agreed to, and ratified by the parties respectively, without a resort to revolutionary party violence. *No man, asleep or awake*, ever dreamed that the ordinary excitement usually

attendant upon a controversy involving the passions and interests of millions, could render null and void the obligations of a plain contract, deliberately entered into by the parties. If the parties have been out of temper, and have displayed bad passions, it is to be regretted certainly, but cannot affect the contract between them. It was the impossibility of living together in harmony which led to the agreement to separate, and to urge the necessary effects of such want of harmony, in vitiation of the contract, is too preposterous to be thought of. Even heaven requires us to "live peaceably with all men," in view of the *exception* that it is *impossible* to do so with some.

It may be the Protest misapprehended the "sense" of the General Conference as to the judicial or merely advisory character of the proceedings in Bishop Andrews' case. What else could be expected when the Majority obstinately continue to disagree among themselves, and as a party, have not yet decided what they meant. The Bishops, in their address of the 30th May, understood the action proposed by Finley's resolution, as an adjudication, a judicial proceeding. Both before and after it had passed, the South understood it as having the force of a mandatory order. Take the mooted form of expression as elsewhere and otherwise used by the same body, and what is the inference authorized? "*Resolved*, That it is '*the sense*' of this General Conference, that the vote of Saturday in the case of Bishop Andrew, be understood as advisory only." What is meant? Plainly, *ordered* that it is the judgment, &c. "*Resolved*, as *the sense* of this Conference, that Bishop Andrew's name stand in the Minutes, Hymnbook, and Discipline as formerly"—that is, undeniably, *ordered* that, &c., nothing advisory about it. "*Resolved*, That it is *the sense* of this General Conference, that the Church now stands, in relation to the testimony of colored persons, as it did before the General Conference of 1840." The only and obvious meaning is, *ordered*. &c. *Resolved*, That it is *the sense* of this General Conference, that paragraph, &c., stand, &c.—that is, *ordered*, not advised. "It is hereby declared to be *the sense* of this General Conference, that J. V. Potts, be restored, &c." In all these instances, the form of expression used in Bishop Andrew's case is mandatory, and it is not used in an *advisory* sense, in any instance upon the Journals of 1840 or 1844. What then is the presumption created? Is it not in favor of the construction of the South? The Protest proceeded upon the assumption that all application of law or its principles, is necessarily judicial in its character, whether such in form or not, and that if *conduct be censured in view of law*, by a tribunal having cognizance of the case, it is a judicial act. Finley's preamble distinctly charges a violation of law, and his resolution is a judicial judgment following upon the charge. There is a formal indictment and a specific finding. Disability in consequence, is inflicted on Bishop Andrew, and reaches him in the shape of penalty. They gave him a parchment, declaring, that in their judgment, God had called him to the work and office of a Bishop. They give notice in their proceedings against him, that for specific reasons, they have seen proper to decide that he ought not to do the work appropriate to his office, and he is, therefore, punished, a thousand denials and disclaimers notwithstanding. If we grant, however, that the joint resolve of abolition and anti-slavery, known as Finley's, was but advisory, it does not affect in any material sense, the reasoning of the Protest, for the *character* of the prosecution does not essentially, by any means, turn upon that of the decision, and the Protest principally discusses the general movement. If we knew the true position of the North, we would meet it, but we do not. Dr. Bond at first took great care to show the famous resolution advisory; subsequently, he has obviously based his reasoning upon its mandatory force, as any one can see and show by his editorials. The New England organ regards the resolution as a mandamus. Dr. Elliott, in the Reply, says it was mere advice. In his

paper, however, he demolishes the Reply, and says the resolution has all the force of law. And a score of similar contradictions and cross opinions, from the same party, might be pointed out if necessary. We have seen that the Reply says Bishop Andrew was not tried—that the proceeding against him was not judicial—was not punitive; that he was not legally suspended. Now admit that Bishop Andrew was not tried in due form—that the proceeding against him was not judicial pursuant to law and right—that he was not punished in any sense known to law and usage—that he was not subjected to legal suspension in any allowable sense; still it does not follow that the statement of the Reply is true to the facts in the case. Bishop Andrew was irregularly tried. He was informally subjected to judicial process, and judicial disability being the result, he was, to all intents and purposes, punished. The nature of his punishment is defined by his Judges; he is to "desist" from the exercise of his functions, that is, (nothing else can be made of it,) he is suspended, and the question next arises, how far the suspension was constructively removed or modified by Mitchell's resolutions. When formally moved to do so, the Conference refused to declare the resolution advisory. They refused to adopt their own report, made by special order, a prominent feature of which was, the advisory character of the resolution. Utterly at variance among themselves, as to what they meant then, or might afterwards find it convenient to mean, how can it be expected that others should understand them? Refusing to say or admit that the resolution was simple advice, when gravely called upon to explain their meaning, did they not officially authorize the alternate construction that the sentence was mandatory, or that they deemed a resort to verbal equivocation necessary to accomplish the purposes they had in view? It is contended the "dignity" of the body would have been lowered by explanation. In what way it was asserted by failing to express themselves intelligibly, even to their own party, will probably be as inobvious to many, as the meaning of the resolution itself. What is most extraordinary, however, is the fact, that the Majority are as far from agreeing among themselves now as they were ten months ago. As a party, they refused to explain, and so far as individuals have explained for them, they have affirmed and denied—said and unsaid; their yea has been nay and their nay yea. One man, one class of men affirmed Bishop Andrew was blameless; without reproach, and must not be censured because he had violated no law or rule of the Church. Others said he had acted in "bad faith"—"dishonorably"—"was a dishonored man," and guilty of "gross immorality;" and yet these very men, one and all, under the cohesive influence of party combination, voted for the same thing, and went for the same measures; voted both for Finley's resolution and Mitchell's explanation; some declared the former mandatory and others advisory. One half unite in saying, if the Bishop exercise his functions, he is responsible for disobedience to the express will of the Conference, the other say no, he will only be held accountable for not deferring to advice. Both agree in refusing to say he shall work, and are equally united in refusing to say he shall not, and all, it seems, are unanimous in the purpose, that whether he shall work or not, it shall amount to the same thing. Facing the North, they all declare they cannot and will not have a slave holding Bishop, and turning to the South, they instantly determine that they have and will have one. They refuse to request Bishop Andrew to resign, and then turn round and blame him for not doing what they thought it improper to request of him. They order an explanation of the whole affair by several of their most distinguished men, each a host in himself, as it regards character, learning, and influence, and then refuse to adopt it. They direct the argument and opinions of Drs. Durbin, Peck, and Elliott to be spread upon their Journals without official sanction, and yet ostensibly as the judgment of the

Conference. Take then, the action of the Conference upon Finley's resolution, and it will be seen that the positions and reasoning of the Protest are fully sustained. And turning to Mitchell's resolutions, giving a new aspect to the whole subject by additional and different action, and it will appear equally clear that Bishops Soule and Andrew have acted in perfect conformity with the only intelligible position the Conference finally chose to assume, in relation to the whole affair.

Recent intimations that Mitchell's explanation is yet to be explained, seem to indicate that the great Northern party are by no means settled as to purpose or policy, end or means. What the result may be as it regards these, we have no means of knowing. We know, it is true, for we have the evidence in our possession, that there is a large amount of dissent and dissatisfaction North, in relation to the course pursued by the official Press, but whether such dissent will ever be developed and embodied in any available action, admits of doubt. It is not unlikely the principal results will be confined to want of confidence, division, and distraction among the different sections of the party.

Editors charged with the management of the Church, the General Conference, the Episcopacy, the Annual Conferences. and so on, as the greater includes the less, are certainly potent agents, and wield effective instrumentalities, and may ward off evils which we deem inevitable. Meanwhile, it is our opinion that, however party policy and interest may hold the great Northern mass together for a short time, (supposing the South to organize,) yet at no distant day, the anti-slavery of the more Northern Conferences, will drive off all connected with slavery in the Baltimore, Philadelphia, Pittsburg, and Ohio Conferences, as well as societies "adhering" North, on the Southern border, or failing in this, will declare themselves independent, and throw themselves in conflict with the Conferences now connected with slavery. Were the slave holding portions of the Conferences just named, to unite with the South, (an event not at all likely to occur, as will soon be shown by the Baltimore Conference,) the entire North might remain together, but in view of the course things are now taking, continued union is extremely improbable. So soon as these sections are found in a state of actual wardship under the Northern guardians of the Church, it will be demanded of them to relieve the Church North of the last vestige of slavery. This demand will no doubt, be resisted, and disunion and conflict, followed by separation, will be the result. Without the compromise shown in these pages to have so long distinguished the relations of "Methodism and Slavery," it is impossible they can live together in peace, although hostility to the South may keep them together for the purposes of defence and aggression as a party. The pertinence of the following language, from a Northern source, in no way implicated in this controversy, will be appreciated by good sense every where. The various necessities (of the Church,) are sometimes too *obstinately discordant* to be met by any general laws, and yet general laws alone can be passed. Such are the *contrarieties* of views, principles, interests, and ulterior objects, that the legislation of the General Conference is of *sheer necessity*, conducted on the principle and in the spirit of *compromise*." The vigorous minded author of the above sentence saw clearly, that the *moral* and *ecclesiastical* cannot be separated from the *political* relations of slavery wherever it exists, under the high sanction of the civil polity of the country, and we have seen that it so exists in the United States. Our connection with slavery is strictly national. It exists in the South *by consent of the North*, and from the very foundations of the government blends indissolubly with our national existence and relations. The responsibility, whether as it regards its existence, continuance, or removal, belongs to the nation as such, and not to the South alone. This opinion has been deliberately

avowed, not only by the first statesmen and jurists of the country, but virtually, as w have seen, by Congress, and gravely and formally by nearly one half the State Legisl tures of the Union, in connection with the objects of African Colonization, particular Massachusetts, Connecticut, Vermont, New Jersey, Pennsylvania, Maryland, Virginia Georgia, Tennessee, Ohio, Kentucky, and Indiana, seven of them being non-slave hol ing States. Any attempt to palm the evil upon the South as *sectional*, can only be th result of ignorance or ill nature. The great act and means of our nationalization, bot as a people and as several different States in union—the formation and adoption of th national constitution, places this beyond dispute. So far as slavery is evil, it is the na tion that has sinned, and the nation must make the atonement, in some form or other The slave States have never shown themselves unwilling to make their share of th atonement, by safe and proper methods. Speaking of Southern emancipation and th separation of the races, Mr. Jefferson says, "although more important to the slav States, it is highly so to the others also, if they were serious in their arguments on th Missouri question. The slave States too, if more interested, would also contribute mor by their gratuitous liberation, thus taking upon themselves alone, the first and heav iest item of expense." If it be alledged that the system of Southern domestic slavery precludes the hope that the South will so act as to sustain the high interests of civi liberty in the United States, it will perhaps be sufficient to reply to the charge, as did *Edmund Burke* to a similar charge in the British Parliament: "the people of the *South ern* colonies of America, are *much more strongly*, and with a *higher and more stubborn spirit, attached to liberty*, than those to the *Northward*."

We are tempted again to ask, why the South is denounced with such unsparing bit terness for doing only what our denouncers glory in having done themselves? The Northern organs of the General Conference, assure the Church, as quietly as though they had right to do so, that ministers and people are under no obligation of any kind to be governed by the action of that body on the subject of separation, declaring the whole to be unauthorized and not entitled to deference and submission on the part of the Church. We have seen that with infinitely better reason for what they did, in resist ing the prosecution of Bishop Andrew, and with constitutional and moral right t which, the North can lay no claim, the South have done *abstractly*, nothing but wha the North has, and why then so much bluster and menace against us, while their ow conduct is all well enough? Does it not show at least that party and not principle i the guiding influence?

The Reply, if we understand it, perversely supposes the Protest to assume that th constitution and laws of the United States and of the slave-holding States respectivel are such that these must be violated by any effort toward the emancipation of the negr No such idea is conveyed in any part of the Protest. Nor is the reasoning of that pa per touched by the alternative so much stressed by the Reply, that law must requi slave holding on the one hand, or merely allow it on the other. The logic of the Pro test is not at fault unless it can be shown that this alternative view of the subject correct in States where emancipation is impracticable, and this cannot be done, for th assumption of the Reply is contrary to notorious fact. In Georgia, for example, an nearly all the Southern States, a citizen holding slaves is *required* to hold unless h *transfer his title*, which transfer does not affect the legal servitude of the slave. Wha is meant by the Protest in this respect, and is contended for in the argument of this Re view is, that the law of slavery in most of the slave holding States, *does not allow th freedom of the slave* and *prohibits* interference of any kind with the *relations* or *rights* o the citizen holding slaves, and it is charged that contrary to its published creed an

pledged faith, the Church has so interfered at different times and in numerous instances. If we have failed to make good the charge, the North have the disposition and ability to make it appear, and let it be done. In disposing of several miscellaneous items in this connection, we take great pleasure in repeating, what is felt to be but a simple act of justice, that in speaking of the abolition and anti-slavery of England and the North of the United States, we have, as before explained, no intention to implicate or in any way censure the *entire people* found in either, but ask distinctly that the application of our strictures and reasoning may be confined to two classes, those practically engaged in the conduct and movements we have described: and second, those who either approve or fail to resist them. If it is not our object to show that the good people of England and the North of the United States, viewed as an entire people, are *worse* than those of the Southern States, but that they are no *better*, and that the stupidly absurd boasting of abolition and anti-slavery, in behalf of the former, can be very satisfactorily replied to by the latter, whenever it is necessary. From large portions of the people of England and the North, we receive nothing but outrage and insult—the anathemas of illnature rather than the sympathies of brotherhood, and conscious we do not deserve the treatment we receive, we have thought it but just and right to let it be seen by *whom* and under what show of claim we are thus cursed and banned. On this topic we have sustained our views almost exclusively by English and Northern witnesses, and these not few in number or questionable in character. We have said of England, nothing more than what Englishmen have said—one of her distinguished sons for example, in the North British Review, "injustice, oppression, and degradation, in too many quarters of the globe, have been the *sole* fruits of British *interference*." We have said of the North nothing, it is believed, which does injustice to the truth of history. Of the South, in connection with the many unnecessary and wanton abuses, in the shape of inhumanity and vice, more or less incident to the system of slavery, we have spoken plainly and without reserve, and have only defended the South so far as we believe truth and justice entitle her to defense. Truth and plain dealing have been our object. We have no cherished ulterior aims to accomplish, beyond an attempt to render the *subject* in controversy less difficult and intractable to those who may wish to understand it. We have written under the full and strong conviction, that the ignorance in which the popular mind of the nation has been kept by its teachers, respecting the *true relations* of the North and South on the subject of slavery, is a stupendous fraud upon the unsuspecting credulity of millions, and fatally tending to the overthrow of the great national brotherhood, in which they are now so happily blended. We repeat, it is not our wish, it is no part of our purpose, to defend individuals or the South in regard to any of the *abuses* of slavery, such as cruelty of any kind to slaves, neglect of their comfort, inattention to their wants, violation of their rights—the infamous practice of driving an *internal trade* in slaves, with its usual attendant enormities for the purposes of gain; these and all kindred evils, we abhor and denounce, and shall always continue to do so, as utterly inconsistent with either religion or humanity, and as deserving the scorn and contempt of both. The Reply most disingenuously as we think, tries to involve the Bishops in the prosecution of Bishop Andrew. They say the Majority had it "forced" upon them by the address of the Bishops. The Bishops, however, made no allusion to any difficulty or disability preventing Bishop Andrew from doing the work of a general superintendent, and in their address on Bishop Andrew's case, expressly affirm the *contrary* of what the Reply attempts to fix upon them. They say in terms, that work could be given to Bishop Andrew, where he would be cordially received, "without any infraction of a constitutional principle." The con-

paper, however, he demolishes the Reply, and says the resolution has all the force of law. And a score of similar contradictions and cross opinions, from the same party, might be pointed out if necessary. We have seen that the Reply says Bishop Andrew was not tried—that the proceeding against him was not judicial—was not punitive; that he was not legally suspended. Now admit that Bishop Andrew was not tried in due form—that the proceeding against him was not judicial pursuant to law and right—that he was not punished in any sense known to law and usage—that he was not subjected to legal suspension in any allowable sense; still it does not follow that the statement of the Reply is true to the facts in the case. Bishop Andrew was irregularly tried. He was informally subjected to judicial process, and judicial disability being the result, he was, to all intents and purposes, punished. The nature of his punishment is defined by his Judges; he is to "desist" from the exercise of his functions, that is, (nothing else can be made of it,) he is suspended, and the question next arises, how far the suspension was constructively removed or modified by Mitchell's resolutions. When formally moved to do so, the Conference refused to declare the resolution advisory. They refused to adopt their own report, made by special order, a prominent feature of which was, the advisory character of the resolution. Utterly at variance among themselves, as to what they meant then, or might afterwards find it convenient to mean, how can it be expected that others should understand them? Refusing to say or admit that the resolution was simple advice, when gravely called upon to explain their meaning, did they not officially authorize the alternate construction that the sentence was mandatory, or that they deemed a resort to verbal equivocation necessary to accomplish the purposes they had in view? It is contended the "dignity" of the body would have been lowered by explanation. In what way it was asserted by failing to express themselves intelligibly, even to their own party, will probably be as inobvious to many, as the meaning of the resolution itself. What is most extraordinary, however, is the fact, that the Majority are as far from agreeing among themselves now as they were ten months ago. As a party, they refused to explain, and so far as individuals have explained for them, they have affirmed and denied—said and unsaid; their yea has been nay and their nay yea. One man, one class of men affirmed Bishop Andrew was blameless; without reproach, and must not be censured because he had violated no law or rule of the Church. Others said he had acted in "bad faith"—"dishonorably"—"was a dishonored man," and guilty of "gross immorality;" and yet these very men, one and all, under the cohesive influence of party combination, voted for the same thing, and went for the same measures; voted both for Finley's resolution and Mitchell's explanation; some declared the former mandatory and others advisory. One half unite in saying, if the Bishop exercise his functions, he is responsible for disobedience to the express will of the Conference, the other say no, he will only be held accountable for not deferring to advice. Both agree in refusing to say he shall work, and are equally united in refusing to say he shall not, and all, it seems, are unanimous in the purpose, that whether he shall work or not, it shall amount to the same thing. Facing the North, they all declare they cannot and will not have a slave holding Bishop, and turning to the South, they instantly determine that they have and will have one. They refuse to request Bishop Andrew to resign, and then turn round and blame him for not doing what they thought it improper to request of him. They order an explanation of the whole affair by several of their most distinguished men, each a host in himself, as it regards character, learning, and influence, and then refuse to adopt it. They direct the argument and opinions of Drs. Durbin, Peck, and Elliott to be spread upon their Journals without official sanction, and yet ostensibly as the judgment of the

tural," and if we have seemed to break the letter of the Church law, in some aspects of the subject, it was only to maintain its spirit and purpose in others of much more importance.

The object of the attempt to make the South a "secession," is two fold. It is expected to be a permanent bond of union between the abolition and old anti-slavery parties. They hope to have no further cause of quarrel as during the late "Radico abolition" war, and it also tends to the gratification of a large amount of personal grudge and spleen indulged in by Northern leaders, towards individuals in the South, who have been so unfortunate as to become somewhat prominent in this controversy. A third motive, connected with the *funds* of the Church, has its influence with some, who cannot help betraying their *reverence for the butler*, but we do not believe it applies to the North generally, nor will we believe it, until they refuse to divide as ordered by the General Conference, which we are quite sure the upright masses in the ministry and membership North, will not permit their leaders to do.

The Reply bases several of its conclusions upon the fact that the action of the Majority against Bishop Andrew, was called for by the abolition petitions presented to the Conference. The reasoning of the Repliers in this respect, is directly opposed to a formal decision of the General Conference of 1840, which declares that petitions relating to *general interests* and not involving *personal grievance*, are to be considered only as the *opinions and arguments* of the signers, and not prayer *for relief* under protection of the *right* of petition. We must, therefore, understand the Majority as endorsing the doctrines of the petitions, or else dissenting from General Conference authority. Which was intended?

Another fallacy of the Manifesto is, it seems to connect the principal functions of Episcopacy with the mere fact of "traveling at large," whereas the true idea of general superintendency is, the extent and universality of the Bishop's oversight and jurisdiction, as it regards all the various interests of the Church "temporal and spiritual," and it would have been much more consistent with the constitution and laws of the Church, if instead of the unlawful attempt to exclude Bishop Andrew, from the North, on account of a connection with slavery *authorized by the Church*, (as we have shown,) they had urged the *duty* of his *oversight* in *that direction*, to resist and subdue the invasion and defiance of law and order by anti-slavery extravagance. Another of the pro-abolition heresies of the Reply is, that what is avowedly founded in *grace*, the *will* and *call* of Christ, we mean the oversight and jurisdiction of a christian Bishop, according to the ordination service, may be forfeited or at least annulled without sin or moral offense of any kind. What right can the Church have to remove, punish, or in any way embarrass a man called by Christ to the "*work and office*" of a Bishop, when it is not even alledged that he has sinned against any law of Christ? Whatever else it may be, this is not Methodism.

We had long hoped and believed that the salvation of the slave would prove a *salvatory clause* in the anti-slavery creed of Northern Methodism, and so arrest the vandal inroads of abolitionism, as to allow the "gospel free course" among the slaves of the South. We re-advert to the subject because no urgency of appeal can equal its importance. By how much Hell is worse than the social bondage of the slave, and Heaven preferable to any condition the result of his liberation; by how far eternity is more important than time, *thus infinitely* does the poor negro need the gospel *more* than any thing else, and hundreds of thousands of them are now annually receiving it at the hands of the Southern ministry. This work, however, the North is steadily retarding by its whole course of policy on the subject of slavery. Not satisfied with inspiring

the slave with impatience and discontent in relation to his earthly lot, they dash from his lips the cup of salvation, and leave him to his fate. If they "remember those that are in bonds," it is certainly not "as *bound with them*." In this respect they are indeed fearful defaulters in the cause of the negro. How very differently did the good Asbury think and feel on this great question of life and death to the negro. Assuming the truth of Park's Travels and similar accounts of Africa, he says, "the Africans are in a state *so wretched*, that *any sufferings with the gospel*, would be preferred." After a long and conscientious struggle with his early abolition principles and feelings, this good man clung to the compromise of these pages, as the true ground to be occupied by the Church, declaring his maxim to be, "all is right that works right—all is wrong that works wrong."

Before dismissing this general topic, it may be proper to notice a covert intimation of the Reply, to the effect that whatever may be the protection extended or the rights secured to the owner of slaves by the constitution and laws of the United States and the States respectively, where slavery exists, it can be no ground of argument or action in the pending struggle between the North and South. We believe, however, the intelligent reader will be prepared to decide, in view of the evidence submitted, that the protection and security in question, are just and necessary grounds of both argument and action, and that the doctrine of the Majority in this respect, has been constantly disavowed by the Church from 1800 to 1844. The standing laws of the Church during this entire period, have pledged the public faith of the whole body, that where emancipation is impracticable, consistently with civil law, *it shall not be required of any person or class*, as the condition of Church privileges or ecclesiastical relations. The *deliberate and undoubted violation of this pledge* by the General Conference of 1844, taught the Southern portion of the Church, that the larger division of it North, had abandoned *the legal compromise of the Discipline* upon which the South had so long and confidently reposed, and that the *future relations* of the slave holding and non-slave holding Conferences, would have to be adjusted upon a *different basis*. This conviction produced the Protest, and after protracted and anxious deliberation, the parties "in General Conference assembled," mutually agreed upon a "constitutional plan" of separation, giving to each division distinct and independent jurisdiction.

In offering some remarks in the shape of an outline argument upon the rights and powers of Episcopacy, and the General Conference, respectively, before we close, it is not intended to touch the *theological* argument distinguishing a Bishop from a Presbyter, nor yet to discuss the *scriptural* rights and claims of a Christian Bishop, but merely to fix the place, and ascertain the true relations and consequent constitutional rights of a Bishop of the Methodist Episcopal Church, as the *chief executive officer* known in its government. The difference of opinion on this subject, between the North and the South, the Protest and Reply, turns entirely upon the strictly *ecclesiastical* relations of a Bishop in the government of the Church. About the scriptural character of a Christian Bishop we may differ in opinion, but have no dispute. The incipient controversy, likely to become as serious, in many respects, as that on slavery, hinges, in every elementary sense, upon the Bishop's proper *constitutional* participation in the *governing power* of the Church. In the theory of Methodist Church government, as found in the Discipline of the Methodist Episcopal Church, and variously explained and illustrated in the history and publications of the Church, Bishops are regarded as a *third order* in the ministry only, in view of their *governing* powers as church or ecclesiastical rulers. They are a third order, not in the institution of the Christian Ministry, as derived from Christ, but in the structure of the government which claims to be divinely authorized,

because consistent with the doctrine and practice of the New Testament, without being required by it, to the exclusion of other forms of government. Or still more explicitly, the present controversy turns upon the distribution, by the organic laws of the Church, of the necessary powers and attributes of every government, between the Episcopacy and General Conference. No question arises as to what *ought* to be the distribution of power, but the inquiry is absolutely restricted to *the fact* of distribution, as the government is known to have been organized and administered. It does not devolve upon us, nor would it be at all in place, to show in what respects the government might have been more consistently or advantageously adjusted. The only question is, how has it been adjusted in point of fact? What are the constitution and laws, and what is the evidence of practice and usage, as it regards the existing conflict of right and claim between the Episcopacy and the General Conference? After what manner, by whom, and for what purposes was Episcopacy introduced and established? How, and by whom, and with what power and rights was the General Conference organized? In what relation do they stand to each other? What are the proper functions of each? In what defined relation, especially, does each stand to the legislative, judicial, and executive power of the government? These and similar topics become the true text of discussion, apart from all speculation as to how things might have been better arranged. We offer no defence of Methodist Episcopacy. With the abstract right or wrong of its theory we have nothing to do. Whether it have more or less power than it ought to have, is a question not mooted at all. What *is* the theory, and what the vested power and rights of the Episcopacy, by our present form of constitutional government, is the true and only question. It is charged in the Protest, and believed in the South, that the late General Conference invaded rights originally secured to the Episcopacy as a constitutional trust, and over which the General Conference has no control, except in its *judicial* capacity, upon conviction of misconduct, and *forfeiture* of right. We have never doubted, for a moment, that the General Conference transcended its powers in action, and avowed principles and opinions subversive of the constitution and government of the Church. This opinion is not confined to the South. Many, among the old and the wise of the North, entertain it, and are not without fear and anxiety as to the future.

In the very cursory examination we shall be able to give this subject, we shall do little more than attempt to indicate the data and trains of reasoning connected with the conclusions we avow. The Majority of the late General Conference claim, in behalf of that body, that it is *the source* of Episcopal power in the Methodist Episcopal Church. This claim will be found in the Debates, the Reply, and in all the Northern Advocates. It has been put forth with significant minuteness in a hundred different forms. Taking rank among the notabilities of Bishop Hamline's really able and eloquent speech, it has continued to maintain its prominence down to the last hebdomadal effusions of the Northern press, and some great men have gone so far as to give notice that vows are upon them to sacrifice even life, if it be necessary, upon the altar of its defence! We trust, however, that such costly sacrifices will not be found necessary. Meanwhile, let us attend to the claim itself. What has been the doctrine of the Church on the subject for the sixty years of its existence? The testimony of Dr. Coke, the first Bishop of the Methodist Episcopal Church, is, that "Mr. Wesley was recognized by the whole body of American Methodists as the *fountain* of our Episcopal office." Dr. Emory says, "Mr. Wesley did *institute* an Episcopacy for the American Methodists." The Wesleyan Methodist Magazine says, "the Episcopacy itself was of Mr. Wesley's *enacting*." In the Minutes and Discipline of 1789, the Episcopacy of the Church is ex-

pressly said to be derived from Wesley "by regular order and *succession.*" Dr. Emory says, "if the ordination of Dr. Coke, (as Bishop,) was not an ordination *proper*, and not a mere *appointment* to office, it was certainly a very solemn *mockery*—a *trifling* with *sacred things.*" Dr. Bangs says, "the Methodist Episcopal Church was *organized* under the *direction* of Mr. Wesley." Dr. Coke distinctly informs us he acted, in the organization of the Methodist Episcopal Church, "*under* delegated *authority* from Mr. Wesley." Mr. Wesley having ordained one, and provided, by formal commission, for the ordination of the other, says, "I have appointed Dr. Coke and Mr. Asbury Joint Superintendants." The Discipline speaks of "letters of Episcopal ordination" received from Mr. Wesley, and also informs us that the Conference of 1784, when the Church was organized, "*received*" Coke and Asbury as their Bishops, appointed by Wesley, "being fully satisfied of the validity of their Episcopal *ordination.*" In the ordination credentials of Coke and Asbury, there is no allusion to any power or right, as derived from the American Preachers, by election. Dr. Elliott says, that "Mr. Wesley having *full power* and *perfect right* to do so, provided for the American Methodists a plan of Church government and Church *offices.*" He says, Wesley was "the acknowledged Bishop of the connection in America." He says, "we had *no possible chance* to obtain an Episcopacy except from Wesley." He speaks of Wesley as the "leading agent" in the organization of the Methodist Episcopal Church. He says the American Methodists appealed to him "as their Bishop or Chief Presbyter," with right to govern them. He declares Wesley "ecclesiastically called to this Episcopal work." He maintains that *ours*, "as received from Wesley, is a genuine Episcopacy." The venerable Morrell says, of the original institution of Methodist Episcopacy, "distinct ordination proves a different degree of *order*, if Mr. Wesley's conduct is to be admitted in proof." Coke and Asbury say Mr. Wesley consecrated the former Bishop, and directed him to consecrate the latter, "that our Episcopacy might descend *from himself.*" Dr. Bangs says, "Mr. Wesley ordained Dr. Coke to this very office," (the Episcopal,) and sent him to America "*with power* to ordain others, and exercise functions which appertained not to simple Presbyters." He says, of Methodist Episcopacy, it was of Mr. Wesley's "own creation—the child of his choice." He adds, "Mr. Wesley certainly intended Dr. Coke and Mr. Asbury to exercise *jurisdiction* over the *whole Church* in America." And again, "Episcopal powers were certainly *invested in them*" by Mr. Wesley, and, says the Doctor, there "was an Episcopal *jurisdiction*, to all intents and purposes." Dr. Emory says, further, "Mr. Wesley *established* an Episcopal *order* of Ministers." "Mr. Wesley intended to establish the ordination of *an order* of Superintendents, to act as Bishops in fact." He affirms Mr. Wesley "did, in fact, claim and exercise Episcopal authority" in America, and was, in fact, our *first* Bishop. P. P. Sandford says "Methodist Episcopacy emanated from Wesley." Dr. Phœbus says, "our *orders* in the Church are from God, we received them from Christ *by Wesley.*" Again, Dr. Bangs says, "John Wesley, the *founder* of Methodist Episcopacy." He adds, "Wesley was the head of the connection, and as such gave *law* and *direction* to the whole body." Charles Wesley says of his brother, "he consecrated a Bishop and sent him to America." Dr. Coke says, "from Wesley I received my commission." This is the common current language of our Church writers. All unite in tracing the Episcopal office to Wesley as its source and fountain. How the General Conference came to be mixed up and united with the authority of Wesley, in giving birth and perpetuity to Methodist Episcopacy, we shall see at proper length in its place, and will only remark here, that the confusion of origin and misapprehension, as to strictly Episcopal investiture, seem to have been occasioned by two circumstances especially: 1st, The purpose of Asbury

not to accept ordination, as directed by Wesley, without the previous *concurrence* of the American Preachers, and the fact that they *did concur*, both in his case and Coke's. And, 2d, The additional fact, that in the instance of all their coadjutors or successors, it was determined that the *designation* should be by the body of Traveling Ministers. From these facts, two things have been assumed as vital to Methodist Episcopacy. 1st, That the body of American Preachers were *creatively* concerned in its origination; and 2nd, That the rights and authority of the Investiture—the office, are, in every proper sense, derived from them. Both these conclusions are not only faulty, but erroneous, as we shall have occasion to see, and have been used as the premises of *other* conclusions equally untenable.

At present, however, let us briefly enquire after the rights and powers of the Episcopacy, as avowed and advocated by the Church since its first organization. A brief general glance at the subject here will be sufficient. Other necessary views of the subject will come in elsewhere. Bishop Asbury says, "there *is not*, nor indeed in my mind *can* there be, a perfect *equality* between a *constant* President, (Bishop,) and those over whom he *always presides*." Dr. Emory says, from Stillingfleet, in relation to the ceremony of Episcopal ordination, "the bare imposition of hands did not confer any power, but with that ceremony they *joined those words* whereby they *did confer authority*." Dr. Bangs says, in relation to the Episcopacy of the Methodist Church in the United States, "the British Methodists have no visible head, but we have." Dr. Emory, in showing Bishops to be superior to Presbyters, speaks of a Bishop as the "constituted organ" of the Church, for the purposes of *ordination* and *jurisdiction*. Dr. Bangs remarks, "as to the *government*, the *title* sufficiently ascertains its *distinctive* character, it being in fact and name *Episcopal*." And again, speaking of a Bishop of the Methodist Episcopal Church, he maintains he is "a superior minister, possessing a *delegated* jurisdiction, chiefly of an executive character." So, also, Dr. Emory, "the forms of ordination prepared for us by Mr. Wesley, for setting apart our Superintendents and Elders, were merely an abridgement of the forms of the Church of England, for setting apart Bishops and Priests, *clearly intending* the *same ecclesiastical officers in each case*." Dr. Bangs says, further, of our Bishops, that they are the "Chief Ministers" of the Church. Also, that "at the organization of the Church, in 1784, the power of appointing the Preachers was *invested* in the Bishops." He also says, "we approximate nearer, in respect to the *power of ordination*, to the Presbyterians, while, as it respects the *power of jurisdiction*, we form nearly a *parallel line* with the Protestant Episcopalians." He adds, of Bishops, "this *order* of Ministers is recognized in our Church; to them is committed the *chief* government of the Church; they are consecrated *especially* for this service." The Conference of 1784 resolved, "we will form ourselves into an Episcopal Church, under the *direction* of Superintendents, &c." Dr. Emory affirms, "Mr. Wesley established an Episcopal order of Ministers, and recommended to us a solemn form for the *setting apart and ordaining* such an order; a form for the ordaining of Superintendents among us, in the same manner that Bishops are ordained in the Church of England, with the same solemnities, and for *the same purposes*—to *preside over* the flock of Christ, *including the Presbyters*." He adds, "is not an Episcopal *order* of Ministers an Episcopacy, *in fact?*" Also, "if, by Superintendents, Mr. Wesley did not mean *that order* of Ministers, denominated by the Church of England, and the Protestant Episcopal Church, *Bishops*, neither, by Elders, did he mean that order of Ministers denominated by those Churches, Priests." The Doctor continues, "Dr. Coke was set apart by Mr. Wesley to *superintend and preside over the whole body* of Methodist *Preachers* on this *continent*, and to exercise *all the powers* usually considered Episcopal."

And further, he speaks of the "*delegated* jurisdiction of our Bishops." He says, "our Bishops are an order of Ministers distinct from, and *superior* to, other Presbyters, in *that extent of jurisdiction*, and in those *executive powers* delegated to them." Bishop McKendree says, "a Bishop having *the general oversight* of the temporal and spiritual concerns of *the Church*, is, of course, authorized to attend to any and all matters, small and great, in the execution of Discipline." The authorities and evidence thus cited, may be regarded as general in language, and miscellaneous in bearing. This, to some extent, is true, but at the same time, when we come to apply the language, in each instance, and by analysis seek its meaning, we meet with nothing vague or inexplicit, but the whole, strikingly consistent in all its parts, is found drifting in the same direction, and conveying the definite idea of a pervading principle of action—a substantive power of control, in the government of the Methodist Episcopal Church. This guiding principle, this directing agency, may not be, in itself, or in relation to other things, what many would have it; it may be too strong for some, too weak for others; fault may be found, and difficulties urged; objections may be interposed, and consequences dreaded; Scylla may be started back from on the one hand, and Charybdis on the other; but all this has nothing to do with the question engrossing us, which is simply to ascertain, if possible, what is the doctrine, what the avowed opinions of the Methodist Episcopal Church on this subject? And, in an enquiry of this kind, appeal must be had to the constitution and laws of the Church, to precedent and usage, the acts of administration, the nature and fitness of things, as well as the judgment and views of the best accredited expounders of the polity and discipline of the Church. Neither party can settle the question by proclamation, or an "order in council;" the law and the testimony must become the rule of judgment. We do not obtrude our own opinions. We prove our positions by the founders, fathers and guardians of the Church. Speaking for themselves, they tell another guise tale than that of the Protest about Methodist Episcopacy. An Episcopacy of which Wesley is the "fountain," which he "instituted" and "enacted," derived from him in "regular order and succession;" an Episcopal "ordination proper, not a mere appointment to office;" Episcopal Church, "organized under the *direction* of Wesley;" joint Bishops "appointed" by Wesley; "Episcopal ordination received from Wesley." The American Preachers "*received*" their Bishops, as "appointed" by Wesley; "fully satisfied of the validity of their Episcopal ordination." Wesley "the acknowledged Bishop of the connexion." Church government and officers "provided" by Wesley; *no chance* of an Episcopacy "except from Wesley." He "called to this Episcopal work;" this a "genuine Episcopacy;" "descended" from Wesley; result of a "distinct ordination" by Wesley; conferring powers not to be claimed by "simple Presbyters; Episcopacy of "Wesley's own creation;" a "child" of his; Wesley giving Coke and Asbury "jurisdiction over the *whole Church* in America;" "investing in them Episcopal powers;" "establishing an Episcopal order;" "Bishops in fact;" Wesley "claiming and exercising Episcopal authority;" from Wesley "emanated" Episcopacy; ecclesiastical "orders received from Wesley;" Wesley "the Founder of Methodist Episcopacy;" "head of the connexion;" gave *law* and *direction* to the whole body;" "consecrated a Bishop;" Episcopal "commission" received from Wesley. Now, if all, or but a small part of this be true, how is Episcopacy an emanation from the General Conference? In what sense is the General Conference its source? With what show of truth or fairness was the claim set up, for the first time, at the last meeting of that body? But again, a Bishop "*superior*" to those over whom he "presides;" "authority" conferred by "ordination;" Bishop the "head" of the Church; the "constituted organ" *of the Church; Episcopacy* giving "distinctive character" to the government of

the Church; a "superior Minister;" having "delegated jurisdiction." The same "ecclesiastical officer" as Bishop in the English Establishment; "chief Minister;" "power invested" in the Bishop; "power of ordination and jurisdiction;" having the "chief government;" "to preside over the whole body" of Ministers; with "all the powers *usually considered Episcopal*; "distinct from, and superior to Presbyters; both as to "ordination and jurisdiction;" having the "general oversight." It is not more certainly the doctrine of the Methodist Church, that Episcopacy was exclusively derived from Wesley, than that it is a *constitutional substantive power*, and not merely *ministerial* agency in the structure and government of the Church. The language we have quoted can be misunderstood by no one. Methodist Episcopacy, as an *institute*, both in view of its *origination* and *perpetuity*, is derived from Wesley, and Wesley alone, according to all the chosen witnesses of the Church. To *concur* with Wesley, as *petitioners* for the boon, and "*receive*" at his hand, was all the American Preachers or Societies had to do with the matter.

Dr. Emory, in giving *the model* of Methodist Episcopacy, from Stillingfleet, gives the following quotations, and adopts them as principles of Methodist polity: "The Church *delegates* to the Episcopacy a more peculiar exercise of the *power of jurisdiction*." "The jurisdiction of Presbyters was *restrained* by *mutual consent*." "It belongs to those who are *appointed*" (Bishops.) "By this we may understand how lawful the exercise of an *Episcopal* power may be in the Church of God, supposing an equality in all Church officers as to the power of *order*." "The Church may, in a peculiar manner, single out some of its officers for the due administration of Episcopal power." "By the great harmony of both, carrying on the affairs of the Church." "The management of ordination and Church power, by the *Presidency* of the Bishop, and the *concurrence* of the Presbytery." "A twofold power belonging to Church officers, a power of *order* and a power of *jurisdiction*." Stillingfleet insists that the power of ordination and jurisdiction inherent in Presbyters, is, upon its delegation to the Episcopacy "*restrained (in the Presbyters) by ecclesiastical laws*." In relation to these and numerous other positions to the same effect, Dr. Emory remarks, emphatically, "so say we." Bishop Asbury says, "if our *title* had not been Methodist *Episcopal* Church, and if the English translation had not rendered *Episcopoi* Bishops, well contented am I to be called Superintendent, not Bishop. They say we (Bishops and Elders) are the same *order*; then why not the same names in Greek and English? Why not Deacons and Bishops of the same order?" The Discipline of 1789, enquires, "what is the proper origin of *Episcopal authority* in our Church?" In the answer, election by the Conference is not recognized as in any way creative of Episcopacy, or as being its source. Bishop Hamline affirms, of Bishop Roberts, "through his peers the Holy Ghost made him *overseer*. That office, (Episcopal,) he executed by the *highest warrant* on earth. He shed lustre on his own *ordained circle*." He adds, "Episcopal prerogatives *prescribed* by the *law* of the Church." The ordination service in *making* and consecrating a Bishop, assumes that the person ordained is called of God to the *special* ministry of a Bishop, *as distinguished* from Elder and Deacon, for each of which orders we have a separate ordination. Dr. Elliott says, "no change which obstructs them in the discharge of their duty, can be effected *constitutionally* by the General Conference. Dr. Emory argues at length, and conclusively, that a resort to the solemnities of *ordination*, in the case of *mere appointment to labor*, is a novelty unknown to Methodism, and treats the supposition as absurd and ridiculous. In these quotations, the Church delegates power to *the Bishop; this power no longer* belongs to the Presbyters; the Church *singles out men for the exercise of* Episcopal power; the Bishop presides, the Presby-

ters *concur;* the latter are *restricted* by law—by *mutual* consent *in* the act of *delegating* power; difference of *order* in the sense before noticed, is argued from difference of title; authority and right are not derived from *election* in any conclusive sense. The Bishop is chosen overseer by the Holy Ghost, is accredited by the *highest* warrant on earth; his prerogatives settled by *prescription* of law; his circle is *his own*—an exclusive sphere; his ministry is special, by God's appointment; the General Conference even is without power or right, (unless usurped,) to *obstruct* him in the discharge of duty; ordination is a sacred consecration to *office*, not a mere appointment to labor, as most absurdly contended by the late General Conference. Can a *tithe* of all this claim be found in the Protest? Does that instrument go half as far as these guides of the Church? And beside, the Protest merely designed asserting the general doctrine of the Church on the subject, and showing that it had been departed from, and was misrepresented by the Majority. The object of the Protest was, to show that the General Conference claimed what, by constitutional right, belonged to the Episcopacy; and, moreover, attempted to assert the claim by unlawful means. The Conference, for example, assumed the right within themselves, to make and constitute Bishops; they assumed the power of removal because permitted by the Annual Conferences to select the incumbent; they claimed that the powers invested in the Episcopacy before the General Conference existed, were nevertheless, found only in themselves; that they could rightfully perform all the functions of Episcopacy—that they could make a Bishop to day and unmake him to-morrow, without any infringement of right, the preposterous absurdity was avowed that they could of right, having all power, do any thing they saw proper, not only without law but in violation of it, excepting only the half dozen items prohibited in the Restrictive Rules. It is not meant to say that all these positions were formally avowed by the Conference as such, but each was assumed in behalf of the Conference, as may be seen by reference to the Debates, the Manifesto, and the Northern advocates of subsequent date, and so far as we know, none of them have been disavowed by any considerable portion of the Northern Church. Each has the ineffaceable endorsement of Bishop Hamline, and has received the equally ineffaceable endorsement of the Majority in his election. In a word, we have the type of a *New Episcopacy.* We have the effect of additional legislation without its forms, changing the relations and rights, if not entirely subverting the old Wesleyan Episcopacy of the Church. Which is the better theory—which should be preferred by the Church is a question not in dispute. The charge preferred against the Majority is, that they have innovated upon the existing system, and have done so by means unlawful and dangerous, because revolutionary in their tendency.

Dr. Bangs says, "three forms of *consecration*, all separate and distinct." Among the grounds of Episcopal claim in his own instance, Bishop Asbury ranks "divine authority," "seniority in America," "ordination," by Coke and others, and the "signs of an Apostle," (meaning the manifest approval of Heaven and the Church) showing that although he certainly attached value to his election (by being "received" as the *appointee* of Wesley,) yet he did not rely upon it as in itself accrediting his Episcopal claims. Coke and Asbury inform us that the Episcopacy instituted by Wesley in the consecration of Coke, and the "commission" he gave him to consecrate Asbury as Bishop, was *acknowledged* and *received* by the Conference of 1784, as "the chief Synod of the Church." They well knew this Conference of Lay Preachers could do nothing more than acknowledge and receive. The Methodist Episcopal Church declares her *Bishops to be "called of* God, according to his word, to *the work and office of a Bishop,* ***and unless God and his word be mocked, all conventional "regulations" will be ex***

formed to this great primary fact, assumed by the Church. The "directions" of Wesley, forming the only warrant of the American societies to become a separate organization, recognized no right of election by the preachers, in view of the Episcopal office. They had avowed and published their want of right, their utter incompetency to organize a Church without Wesley—of course they could not elect Bishops. The *full validity* of our Episcopacy, *as exclusively derived from Wesley*, must be admitted, or *we have none*. There is no *Presbytery* in the Methodist Episcopal Church, except as created by its *Episcopacy*, and the supposition that Episcopacy was *accredited* by what itself had produced, is, to say the least of it, not the theory of Methodical Episcopacy, as set forth by all the defenders of the Church, and especially in the authorities to which we appeal in the brief argument we are now sketching. Is there any thing in the Protest elevating the Episcopacy to half the height indicated by the positions just cited? And how do they contrast with the newly adopted creed of the Majority, which throws around a Bishop such an ambiguity of right claim and relation, "now high, now low," that instead of his taking his place in the government as an officer of the constitution, with well defined rights and corresponding duties and claims, subject only to the control of law, he is but the quadrennial agent of a General Conference Majority, and is liable to removal or degradation, whenever they deem it expedient to exercise the power they assume? The advocates of the new theory will of course allege that the Presbyters of the Methodist Episcopal Church, have at any rate, regular Presbyterial ordination, and that *since* they obtained it, it has been competent for them to create an Episcopacy upon the Stillingfleet model. This, however, will involve several difficulties.

1st. Methodist Episcopacy did not so originate, had no such origin—the truth of history can never give it such a character; nor has an Episcopacy of this kind ever been instituted by them. Our Episcopacy, and the plan of its perpetuation, both pre-date the existence of Presbyters. The right and power of ordination, as they existed in Wesley, were transferred to our Bishops, and *constitutionally invested in them*, before a Presbyter existed in the Church. The constitution of the Church at the time of its organization, and ever since, deprives the Presbyters of the power of ordination while there is a Bishop in the Church.

2d. The *order of succession* precludes the supposition, that for the reason assigned, the Episcopacy of the Church is in the hands of the Presbytery. The organic laws of the Church in the very *provision* which gave being to Presbyters, as such, *restricted* all the rights of ordination to the Episcopacy, and declare that this *investiture* can only become void by the *extinction* of the *original order* of Bishops. The right of the Presbyters to select the incumbent does not affect the argument. The Presbyters may select a thousand *to be made* Bishops, but in themselves can *never make one*, while a solitary incumbent of the office survives in the Church.

3d. Should the only alternative contingency which can possibly give the right of Episcopal ordination to the Presbyters ever take place, the right does not belong to them one moment after its exercise in the consecration of a Bishop. They can in no event, by the constitution, ordain an Elder or Deacon, or more than one Bishop at a time. The moment their consecration of a Bishop is complete, the right of ordination ceases to exist in the Presbyters. This may not be as it should be, if any will have it so, but we have only to do with things as they are, as we find them in the constitution and the laws.

4th. From the *preceding data, it is* clear, that until the existing theory of Methodist *Church polity is utterly subverted*, it can never become the right of the Presbyters of

And further, he speaks of the "*delegated* jurisdiction of our Bishops." He says, "our Bishops are an order of Ministers distinct from, and *superior* to, other Presbyters, in *that extent of jurisdiction*, and in those *executive powers* delegated to them." Bishop McKendree says, "a Bishop having *the general oversight* of the temporal and spiritual concerns of *the Church*, is, of course, authorized to attend to any and all matters, small and great, in the execution of Discipline." The authorities and evidence thus cited, may be regarded as general in language, and miscellaneous in bearing. This, to some extent, is true, but at the same time, when we come to apply the language, in each instance, and by analysis seek its meaning, we meet with nothing vague or inexplicit, but the whole, strikingly consistent in all its parts, is found drifting in the same direction, and conveying the definite idea of a pervading principle of action—a substantive power of control, in the government of the Methodist Episcopal Church. This guiding principle, this directing agency, may not be, in itself, or in relation to other things, what many would have it; it may be too strong for some, too weak for others; fault may be found, and difficulties urged; objections may be interposed, and consequences dreaded; Scylla may be started back from on the one hand, and Charybdis on the other; but all this has nothing to do with the question engrossing us, which is simply to ascertain, if possible, what is the doctrine, what the avowed opinions of the Methodist Episcopal Church on this subject? And, in an enquiry of this kind, appeal must be had to the constitution and laws of the Church, to precedent and usage, the acts of administration, the nature and fitness of things, as well as the judgment and views of the best accredited expounders of the polity and discipline of the Church. Neither party can settle the question by proclamation, or an "order in council;" the law and the testimony must become the rule of judgment. We do not obtrude our own opinions. We prove our positions by the founders, fathers and guardians of the Church. Speaking for themselves, they tell another guise tale than that of the Protest about Methodist Episcopacy. An Episcopacy of which Wesley is the "fountain," which he "instituted" and "enacted," derived from him in "regular order and succession;" an Episcopal "ordination proper, not a mere appointment to office;" Episcopal Church, "organized under the *direction* of Wesley;" joint Bishops "appointed" by Wesley; "Episcopal ordination received from Wesley." The American Preachers "*received*" their Bishops, as "appointed" by Wesley; "fully satisfied of the validity of their Episcopal ordination." Wesley "the acknowledged Bishop of the connexion." Church government and officers "provided" by Wesley; *no chance* of an Episcopacy "except from Wesley." He "called to this Episcopal work;" this a "genuine Episcopacy;" "descended" from Wesley; result of a "distinct ordination" by Wesley; conferring powers not to be claimed by "simple Presbyters; Episcopacy of "Wesley's own creation;" a "child" of his; Wesley giving Coke and Asbury "jurisdiction over the *whole Church* in America;" "investing in them Episcopal powers;" "establishing an Episcopal order;" "Bishops in fact;" Wesley "claiming and exercising Episcopal authority;" from Wesley "emanated" Episcopacy; ecclesiastical "orders received from Wesley;" Wesley "the Founder of Methodist Episcopacy;" "head of the connexion;" gave *law* and *direction* to the whole body;" "consecrated a Bishop;" Episcopal "commission" received from Wesley. Now, if all, or but a small part of this be true, how is Episcopacy an emanation from the General Conference? In what sense is the General Conference its source? With what show of truth or fairness was the claim set up, for the first time, at the last meeting of that body? But again, a Bishop "*superior*" to those over whom he "presides;" "authority" conferred by "ordination;" Bishop the "head" of the Church; the "constituted organ" *of the Church*; Episcopacy giving "distinctive character" to the government of

performed with fidelity, the annexed privileges are freely and amply secured." In the address of the General Conference of 1824, it is avowed "the General Rules and the Articles of Religion form, to every member of our Church *distinctively*, a constitution." In 1789, the Discipline claims to be the "constitution of the Church." R. Emory remarks, "in 1808 an important *change* was made in the constitution of the Church by the establishment of a *delegated* General Conference." Dr. Bangs says the object had in view by the Annual Conferences before the meeting of the General Conference in 1808, was "to provide for a future delegated General Conference, whose powers should be defined and limited by *constitutional* restrictions." These and similar testimonies go to show a *constitutional* investment and *distribution* of rights and powers among the several *departments* and various *offices* of the Church, including especially the Episcopacy and General Conference. They also show that the position of Bishop Hamline and others, assuming the *Restrictive Articles* to be *the constitution* of the Church, is utterly unworthy of credit. The very structure of the government, and the whole history of its administration, not less than the constantly avowed opinions of the Church since its organization in 1784, demonstrate most conclusively, that the position is without any foundation in either the history or philosophy, the facts or reasons of Methodist Church polity.

We have seen that the governing power in the Methodist Episcopal Church belongs to the Traveling Ministry, and that the question at issue in this controversy is, how and in what proportion this power is distributed among its different departments, councils, and tribunals, as coming into existence and use, and being created and established at different times. Our Church organization obviously presents several departments, more or less mixed in character as it regards their functions, but still sufficiently distinct and independant of each other for the practical purposes of government. 1st. The Episcopacy or General Superintendency. 2d. Annual Conferences. 3d. General Conferences. 4th. The General Pastorate or Traveling Ministry in their appointed charges of labor and administration.

We notice the first three in the order of their introduction as elementary principles, giving form and character to the government. All are to be regarded as great constitutional arrangements. Among these we must of necessity find distributed, the Legislative, the Judicial, and Executive powers of the government, and the question arises, what is the distribution? Or is it true, as has been assumed, that there is no actual distribution, nor yet any *law* of distribution, and that all the functions of government are commingled and meshed up together, to be exercised at discretion by the several departments and organic bodies having general control. That the distribution has not been a careful and well settled one may be true, but the assumption that there has been no distribution at all, affecting the different classes of power, except in a few instances connected with each, must, we think, be rejected by the good sense of the Church. Many of the authorities already cited, throw material light upon this subject, and show that a very different view of the subject has obtained among the most distinguised men of the Church in every period of its history. In answer to the question, "who shall compose the General Conference?" the Discipline says expressly, "one of the General Superintendents shall preside in the General Conference." Again, this Presidency or Headship is a part of the "Plan of General Superintendency," the first duty of the Bishop is "to preside in our Conferences," Annual and General. Their constitutional oversight extends to all the "temporal and spiritual business of the Church," and of course and especially to the General Conference, as that body does a large share of the business of the Church. *Watters*, the first American Methodist Preacher, says, "the

Bishops business is to preside in our Conferences, (Annual and General) and in case of an equal division on a question, he has the casting vote." Sandford says, "the General Conference is composed of Bishops who are its Presidents, &c." Dr. Elliott says, "to preside in our Conferences, comprehends the Presidency of the General Conference." Dr. Coke says to the General Conference in 1808, that he will reside in America permanently, in his character of Bishop if the Conference, will "agree that I shall have a full right to give my judgment in every thing in the General and Annual Conferences on the *making of laws*, the stationing of the Preachers, sending out Missionaries, and *every thing else, which as a Bishop*, belongs to *my office*. I want no new condition ; I only want it to be perfectly ascertained, that I shall be authorized by you to *fulfil my office*, without which, our *reciprocal* engagements are a perfect *nullity*." Dr. Bangs speaks of "powers *ceded to the Episcopacy*." Bishop McKendree says, "by virtue of a *delegated* power from the General Conference," (as the organ of the Church's authority and action,) "I hold the reigns of government." Dr. Bangs says of Methodist Episcopacy, "this superintendency is provided for in the *organization* of the Methodist Episcopal Church.', In their Address, in 1840, the Bishops speak of the "*constitutional powers* of the General Superintendants, of *their general executive* administration, and *their official department* in the Church." Dr. Emory endorses the opinion of Stillingfleet, that the form of Church government which approaches nearest the primitive, is the "Presidency of Bishops for life." At the General Conference of 1804, Dr. Bangs informs us, Coke, Asbury, and Whatcoat, acted as "Presidents of the General Conference." Mr. Morrell assures us, that the Conference of 1787 decided that even "Mr. Wesley had no authority to remove Mr. Asbury," after he had been constituted Bishop of the Methodist Episcopal Church in the United States. Dr. Emory says of Bishop George, "he regarded the duties of his place and office as specified in the Discipline, in the light of a *contract*, by which he had solemnly engaged to be bound." In 1805, Bishop Asbury gives notice to the "world" that he considered his *election* by the Conference of Lay Preachers in 1784, as but *one of several sources* whence he derived his Episcopal authority. Coke and Asbury say, "Episcopacy took its rise in Wesley." They rank it among the functions of Episcopacy, "to meliorate the *severity* of Discipline, to relieve the people under every *oppression*. In them (the Bishops) the people have a *refuge*—to them they may *appeal*, and before them lay all their *complaints and grievances*." The Discipline of 1789 asks, "how is a Bishop to be constituted in *future?*" Election a *new* method of selecting the incumbent. It may strike the reader that there is in these citations no principle of coherence affording any reason why they should appear in the same connection. It must be recollected, however, that it is the simple object of these strictures to show that the Protest did not assume, in behalf of the Episcopacy, any thing beyond its allowed claims, currently conceded in the doctrines and history of the Church. Any proofs, therefore, going to show what these claims have been for sixty years, must be directly pertinent as well as important. The testimonies just quoted, prove that Bishops of the Methodist Episcopal Church are, by *constitutional right*, Presidents of the Annual and General Conferences, and of course are members and integral parts of them, when *in session*, beside having the executive oversight of *all the members of both*, in the intervals of their meeting. The Discipline includes them with others, in "composing" the Body. Presidency and oversight are scarcely compatible with the idea of their being the mere *chairmen* of Conference meetings. The right of discussion, of expressing their opinions on all subjects, of recommendation and remonstrance, seems to be a necessary inference. *It is claimed by* Dr. Coke as belonging to the office. The reins of government

are held by *delegated* power, that is, power parted with and given *in trust* for specified purposes. Bishops have *constitutional* powers; the *general executive* administration is theirs; their *official* relations, rights, and duties, constitute a regular *department;* their Presidency is *for life*, unless forfeited by misconduct; the appointing power cannot remove, except for reasons destroying the objects of the appointment; the official relations of a Bishop imply a *contract* between himself and the Church. Election had nothing to do with the *institution* of the office, and is but an *auxiliary* method of perpetuating it; the office arose in Wesley, and comes in as a *regulating power* between the ministry and people. We attempt no defence of the various forms of expression used, or claims put forth in the passages quoted. What we may approve or disapprove weighs nothing in the controversy. Our business is to show the true doctrine of the Church on the subject.

Among other items regarded by the South as signs of the times with the Northern Majority, may be noticed the manifest indifference and irreverence with which the solemnities of the *Episcopal ordination service* have been treated. It has doubtless been seen and felt that truth and falsehood resemble as little as the new theory of Episcopacy and the ceremony in question. And if the former be true, the latter is certainly a chapter of rare foolishness, and ought to be expunged, as Bishop Hamline cautiously suggests it *might* be, without detriment to Methodism, as we use no such ceremony in the appointment of Book Agents, Editors, Class Leaders, &c., all of course (the assumption is) sustaining, *as agents*, the same relation to the Church! But let us look into this matter a little. The ordination service styled the "*form* and *manner* of *making* and ordaining a Bishop," assumes that the person so ordained is called by the Holy Ghost to the *special* ministry of a Bishop as *distinguished* from both Presbyter and Deacon, for each of which orders we have a *separate* ordination service in no way *inclusive* of the first office or Episcopal consecration. It is assumed that he is called to be a Bishop, to a ministration distinguished from *all others* according to the will of Christ. It is assumed that being *divinely called*, he is *by the act of ordination*, admitted to *government* in the Church of Christ. He is said to be thus admitted to a *peculiar administration*. The people, the Church of God, "including the Presbyters," Dr. Emory adds, are said to be *committed* to his charge by the same act, and so of many other assumptions to the same effect. Can the man who regards a Bishop as the mere agent or officer of the General Conference, liable at any time to removal or deposition, at the will of the Majority, without impeachment or trial, or even cause assigned, be prepared for honest subscription or submission to a ceremony of consecration, every clause of which is in irreconcilable conflict with his avowed opinions as to the *real character* of the Episcopal office? How will this matter be regarded by the well informed and pious masses of the Church, even in the North? Will they not agree with Bishop Emory, that it is "mockery, a trifling with sacred things." Take the action of the General Conference in electing, and that of the proper officers in ordaining a Bishop. *They call* him to the work and office of a Bishop *in the name of God, and as His representatives.* They declare him called of Christ and gifted with the graces of his spirit "evermore" to perform the duties and "fulfil *the course*" of a christian Bishop. They recognize his official elevation as God's own appointment, and during life. The consecration is the name of the Trinity, sanctioned and accredited by the solemnities of the sacrament. Now if all this mean that a Bishop may be used to-day and laid aside to-morrow, without proof (which due form of trial can alone safely test) that the consecrated person chosen of God for the purpose, has disqualified himself for the trust reposed in him, by a forfeiture of the divine approval; we repeat, if the ceremony

mean nothing inconsistent with such a view of the subject, then is our ordination service not only unmeaning, but so fraught with the fearful significance of being an *ungodly mockery*, that the sooner it is laid aside the better. I need not remind the readers of the Northern papers, that there are already indications by no means obscure, that the *inconsistency* between the new Episcopal theory and the ordination service, will require their early attention, unless it is found expedient to adjourn the movement to a "more convenient season" for reform. The innovation under notice, must prove extensively mischievous in its bearings. It subverts the foundation and destroys the tenure of the ministerial office in the Methodist Episcopal Church entirely. If ordination in the instance of a Bishop, mean mere appointment to labour, and may be fairly typed by the appointment of a Class Leader or Editor, similar views will doubtless obtain with regard to the ordination of Elder and Deacon, as there is nothing more solemn or sanctioning in the latter than the former, and the result will be, the high and holy function of the Ministry, severed from the fastenings of its immemorial sanctity, will be sacred only to the purposes of ecclesiastical sway and party domination. The position we are now opposing, strikes us as the more strange and surprising, because we have no accredited instance in the whole history of the Church, of ministerial ordination, except *for life*, upon condition of good behaviour. The rights and privileges conferred by ordination, as Bishop Emory properly suggests, are matter of "contract" between the parties, and while either party does not offend the laws of the Church, the rights and privileges reciprocally involved, are perpetual. On this ground alone, the action of the late General Conference, in the case of Bishop Andrew, must be viewed as an outrage upon his legal and personal rights. It was, moreover, a violation of the pledge of the Church, given in his ordination credentials, in which the protection and support of the Church are solemnly guarantied, "so long as his spirit, practice, and doctrine, are such as become the gospel of Jesus Christ, and he shall submit to and maintain the Discipline and order of the Methodist Episcopal Church in America." It is well known the Majority did not even allege offence, either against the laws of Christ or of the Church, and yet in gross violation of this official pledge, they withdrew the protection and support the Church had promised. Such conduct shows that God in his word is not allowed to be the judge of sin, of right and wrong, nor yet the Church in her laws, but that the caprice and resentments of party opinion and feeling, are to become the rule of action and standard of ministerial and personal worth.

The several Annual Conferences up to 1792, were always considered as separate and independent bodies, and it was not likely, says Dr. Bangs, "that so many independent bodies could be brought to harmonize in all things. The several Annual Conferences were considered only as so many parts of the whole body, nothing was considered binding upon all, unless it were approved by each and every of these separate Conferences." Bishop Asbury styles the General Conference a "grand *federal and responsive body*." The federal relations and reciprocity of right assumed by Bishop Asbury, were merely modified, not destroyed by the change, or rather addition to the constitution, giving birth to the delegated General Conference. It is still a federal responsive body, as represented in the Protest, and this very fact gives the reason of the limitation of its powers. "The General Conference consists of an equal representation from the several Annual Conferences," says Dr. Bangs. In what proportion, then, do we seek the constitutional inherence of power in each? This will of course depend upon the fact of *distribution*, already adverted to. In the General Conference certainly so far as the *constitution clothes* them with power. To this extent it is always competent for that

body to act without control, and in forms absolutely conclusive. The constitution, however, is the only *commission* under which any of the departments can rightfully act. And what we wish to achieve, believing it to be the truth, is to show that the constitution intended something like an *equal distribution* of the powers of government among its different departments. When once, some score of years since, acting upon our then understanding of things, we honestly believed the Episcopacy was likely to disturb this balance of power, by claiming for itself more than its constitutional share, we opposed the supposed usurpation, as now we oppose that of the General Conference. We should do the same thing with regard to the Annual Conferences or general Pastorate, were they so to act as to produce a similar conviction. The doctrine for which we contend, is simply something like a *substantial co-ordination* of powers among the different departments of the government. This result secured, we ask for nothing more. And if to secure it the *reduction* of Episcopal power shall be found necessary, we shall promptly favor the reduction.

The doctrine of Bishop Hamline, which seems to be extensively endorsed in the North, affirming General Conference *prerogative* to be a just law of action, without defining or publishing the mode of action, we reject and resist in all its forms, as at once dangerous and inadmissible in any government. One of its necessary consequences, is *expost facto* legislation, without even the usual disguise of legislative and judicial construction. Take for instance, the right claimed in behalf of the General Conference to appoint the Preachers to their pastoral charges. This right never did belong to the General Conference, nor can it while the present constitution of the Church exists. If the whole Book of Discipline be regarded as the constitution, in general terms, the right is denied to the General Conference; and if, with Bishop Hamline, we receive the restrictive articles as the constitution, they expressly prohibit the General Conference from any such attempt, as this right of appointment forms the most important part of the plan of General Superintendency, which they are not allowed to destroy. But the logic is, the General Conference elect the Bishops, and may therefore perform all the duties of Bishops, if they prefer it. Extend the rule a little and see how it will work. The Annual Conferences elect the General Conference, and therefore, if they prefer, may not only perform all its constitutional duties, but by the same rule, get at those of the Episcopacy also. This single dogma carried into practice, would immediately subvert the whole government of the Church. Witness its effect in the action of the late General Conference, in Bishop Andrews' case, and the consequences with which it has been attended.

The government of the Methodist Episcopal Church is certainly somewhat irregular and anomalous in form; still it has essentially its co-ordinate departments, especially the Episcopacy, Annual Conferences and the General Conference, by no means excluding the ministry in pastoral charge, apart from their Conference relations. It is an impossible theory to suppose a government without legislative, judicial, and executive powers, and irregularly as these are distributed, they are found in the above departments. The General Conference has limited legislative power. It has also a substantive portion of judicial power, having original jurisdiction in the case of Bishops, and appellate in the instance of members of Annual Conferences. The Annual Conferences have a large share of judicial power, retaining in their hands an important portion of the legislative, and meanwhile exercising to a considerable extent, executive functions. The Episcopacy is emphatically the *Executive Department* of the Church, or rather of the government, with scarcely a tithe of power from the other classes. Some of the functions of the General Conference appear more or less executive in character, but in no

sense does the General Conference possess any considerable portion of executive power. It will be perceived at once, by the good sense of the reader, that from the mixed character of the distribution of power in the government of the Methodist Episcopal Church, it becomes the more necessary to guard against the encroachment of one department upon another. Such encroachment as shown at large in this Review, has given birth to our present difficulties, and the controversy in which the Church is now so unhappily involved. We have no wish to reduce the constitutional power of the General Conference, or increase that of the Episcopacy. We wish no function of the General Conference transferred to the Episcopacy. We would not add to the aggregate of Episcopal power a single iota, were all the powers of the government within our gift. What we except to and resist, is the hitherto unheard of claim of nearly absolute power put forth by the Majority of the General Conference in May last. The position that "the Bishop's term of service may be *limited or undetermined* at pleasure," is so utterly unsupported by evidence of any kind, and manifestly inconsistent with all the evidence we have in the case, that its bare announcement furnishes its own disproof. The position invades the constitution at every point in which it can be viewed. It is contradicted by the whole tenor of the ordination service, without which we can have no constitutional Episcopacy. It is disavowed, in terms, by the official certificate of ordination. It is without any sanction from the Discipline. It is discredited by all usage, and possesses every attribute of a gross and daring innovation. And yet all these revolutionary doctrines and legal absurdities, received the full practical sanction of the General Conference. The principal asserter of them became their authoritative type and living impersonation, by the highest marks of approval and confidence within the gift of the Majority. The doctrine in question, therefore, is the doctrine of the Majority, and we are thus minute, with no view of calling attention to individual character, but for the sole purpose of showing that the party claiming to be *the* Methodist Episcopal Church, par excellence, is the party by whom the constitution of the Church has been notoriously disregarded, and its rights in the same proportion forfeited. The General Conference acts under the authority of but a limited commission, and the measure of its supremacy is determined by the limits the constitution imposes. Its powers are in no sense absolute, but as properly under the control of the constitution as those of any other department.

Dr. Coke was the father of the General Conference system, and in his circular in 1791, urging the propriety and necessity of his plan, he proposes the General Conference in sum, "as a *check* upon every thing," that is a great regulating principle of government, not overriding and capriciously controlling the other departments, but subjecting their action and administration to proper revision and restraint, to be regulated by law. As connected with the Presidency of the General Conference, Bishops have been in the habit of giving their opinions and advice, offering resolutions, and even voting in the instance of a tie. The practice, however, has varied at different times, and with different men. As lately as the General Conference of 1840, one Bishop offered a series of resolutions, which were adopted by the Conference, and another gave the *casting* vote on an important question, to which no exception was taken, and both these acts, stated upon the Journals, were subsequently *approved* by the Conference, without dissent. In fact the Presidents have always been recognized as constitutional members of the General Conference, until the new era of 1844. They are there and such by commission of the constitution. Bishop Asbury left the sittings of the General Conference of 1792, and after absenting himself, wrote back to the Conference, "I am happily *excused from helping to make laws* by which I myself am to be governed;" showing plain-

ly that he considered himself a member of the body, with right to assist in *making laws*. Coke was in the habit of introducing formal resolutions in the General Conference. So was Asbury. Other Bishops have done the same. Coke and Asbury say, "all the *different orders* that *compose* our Conferences;" showing that Bishops were regarded as constitutional members of the Conferences in which they preside, whether Annual or General. If Bishops are not a constitutional part of the General Conference, why do they meet and preside by requirement of law? Why is their signature necessary to the validity of the Journals and the authority of official documents? Is the Presidency of the General Conference no part of it? In every organic sense is not the President the head of the body? Can this be true without his belonging to the body? Bishops are *ex-officio*, by right of office, Presidents of the General Conference, and in that body are constitutional representatives of the Church at large. The very constitution of the General Conference includes the presence and Presidency of a Bishop. In the Bishops' address of 1840, all the various "judicatories of the Church" are recognized as "constitutional;" of course the *Presidency* of the General and Annual Conferences are among the constitutional arrangements alluded to. About a Bishop's right to speak or vote, we shall not contend. We are only anxious to show his constitutional relation as President of the body. Placed there by the constitution to *preside* as the end of the appointment, whatever means may be necessary to accomplish the end, he is constitutionally allowed to avail himself of, as an obvious *incidental* right, and beyond this it is believed no claim has ever been made. The constitution places a Bishop, having common oversight of the whole Church, in the General Conference, and at its head, as the representative of the general departments of the government, and especially the one to which he more appropriately belongs. Under the old General Conference regimen all the Traveling Preachers *in full connection* are declared to be members by right. Were the Bishops in full connection or not? If yea, then they were members. It is not meant to say the President of a General Conference is a member in the sense in which Annual Conference Delegates are, but that the constitution makes him a part of the body in virtue of his right of general *oversight*, which extends to the General Conference as well as other departments of the ecclesiastical system. But other views of the subject bear upon the main question in the same way.

Coke and Asbury declare a Bishop to be "the *chief* executor of those regulations made in the College of Presbyters," that is, the General Conference. The whole bench of Bishops in 1844, declare the Episcopal office to be *chiefly executive*, and the doctrine in fact, is coeval with the American organization. That some of the initiatory steps of executive administration are taken by the General Conference, and that in *this way* it may be said to possess executive power and perform executive acts is admitted, but that the General Conference possesses, by vested right, the general executive power of the government as lately assumed in its behalf, we explicitly deny, and regard the claim as an arrogation of power as *absurd* as it is *alarming*, and calling for resistance on the basis of the constitution. The further claim to all power, legislative, judicial, and executive, not expressly denied them in the six restrictive articles, is so replete with *usurping innovation*, that we cannot refrain from asking the Church, even at the North, to look it more fully in the face, before they commit themselves to its final approval. Acting upon the ground of this claim, the reforming Majority of the late General Conference, might have annihilated the entire itinerant system—all the Annual and Quarterly Conferences, together with all our missions, colleges, schools, benevolent associations, &c. If the Church is prepared to submit to such claims, it is time she were preparing for eventful changes, both of polity and administration. Is there any connection be-

tween the late *putting forth* of these claims, and the official declaration made to the General Conference by Bishops Soule, Hedding, Andrew, Waugh, and Morris, that in several of the Northern Conferences *little remains of the itinerant system except the name?* Is there evidence of an intention to consolidate the power of government in the General Conference, and by destroying the present *checks* and *balances* of the system, place it in the power of the Majority of that body to control the *whole machinery* of Church action? Was it necessary to elaborate these claims with chiselled exactitude—dove-tail them into each other, and reduce them to a science, in order to get at Bishop Andrew? We lay the effect before the reader and leave him to find an adequate cause.

From 1792 to 1808, the General Conference possessed the power of the whole body of ministers; now it does not; it is a Church Council with limited powers; not "everything," but as Dr. Coke says, "a *check* upon every thing." As the claim, that the General Conference creates the Bishop, proves to be a mere fiction, so the claim of right to do what they please with their own, must, as far as Bishops are concerned, go to "the moles and the bats" with it. Let the Majority have the benefit of their own reasoning in application to the General Conference. That body was created by the Episcopacy and Annual Conferences, therefore the Episcopacy and Annual Conferences can destroy it when they please! The General Conference is a constitutional provision of the government, and cannot, by right, alter or override the fundamental principles in virtue of which it governs or performs its functions. Holding power only in virtue of the constitution, and acting beyond, and independently of its provisions, they act without right, and cease at once to be the representatives of the constitution. Hence, all such acts are null and void. We have applied this universally received principle of constitutional law to the action of the late General Conference in the case of Bishop Andrew, and also in relation to a division of General Conference jurisdiction, and have shown the constitutional right of the South to resist, in the one case, and the utter want of it on the part of the North, in the other. That the Annual Conferences are regarded by the Discipline, as original contracting or confederating parties, not only in the creation of the General Conference, but in the constitutional government of the Church, is undeniable, from the language and provisions of the 6th restrictive article, distinctly recognizing the power of the Annual Conferences to change the entire government of the Church, even to the doing away of Episcopacy. To effect this, it is only necessary that the Conferences decide upon the change, and elect their delegates to the ensuing General Conference in view of it, and as these are the only organic bodies represented in the General Conference, unless the delegates prove recreant to their trust, it is accomplished. The fact that the General Conference elects Bishops, by no means furnishes *a priori* presumption, as has been contended, of the dependence of Bishops upon that body. It is a well known and common fact in the history of governments, that one branch appoints the officers of another, essentially *co-ordinate* in its character. The fact in question does not authorize even a plausible inference in favor of General Conference power. As the Methodist Episcopal Church was originally organized, that is, by its constitution, Episcopal powers never belonged to the General Conference, and if they had, the very form of the government proves they must have been parted with by an act of solemn transfer, and invested in the Bishops, and of course their resumption by the General Conference is impossible, until the constitution is either changed or destroyed. To meet this difficulty, and obviate its absurdity, the still greater absurdity is maintained, that these powers inhere in the Bishops and the Conference at the same time, and may be exercised by either, as the Conference may elect! Can it be necessary to reply to such an argument? And if so, for whose benefit? Can any one avoid perceiving,

that when, by election and ordination now, as by ordination alone, originally, Bishops become invested with Episcopal powers. the right to suspend the exercise of those powers, or withdraw them, cannot accrue to their original source, unless the Bishop shall violate the well known terms of the investment. This view of the subject has been sustained by the action of the General Conference. It is well known that the "suspended resolutions" of 1820 were *protested* against by Bishops McKendree and Soule, as unconstitutional, on the ground, solely, that it was taking from the Episcopacy, by simple *resolution* of the General Conference, right and power invested there by the constitution, and thus destroying the sacredness of vested rights, beside impairing the intended force and vigor of the Episcopacy, as the executive branch of the government. The protest was sustained by the General Conferences of 1824 and 1828, as based upon good and sufficient reasons.

The Episcopal office is a delegation of right and power, in the shape of a high moral trust, and unless the trust is abused by moral or official delinquency, the claim of the Bishop to the continued possession of the right and power invested in him, cannot be impaired except by a constitutional change of government. Whatever may be the vagaries and shifts of party expediency, by the constitution and laws of the Methodist Episcopal Church, a Bishop is not removable, or liable to legal disability of any kind, except, as upon fair trial, he is found to be punishable. All the power *vital* to the functions of Episcopacy, is constitutional, and no portion of it merely ministerial. Those who maintain that a Bishop is absolutely subject to the General Conference, must, of necessity, maintain that the Conference possesses absolute power with regard to the Episcopacy, but that this is not so, we prove in a hundred different forms. The fiction by which it is attempted to discriminate between the office and the officer, may answer for declamation, but not in argument. If all Bishops are absolutely subject to the General Conference, the Episcopal office is absolutely under its control. The office follows the officer. They necessarily co-exist. The one must be predicated of the other. The relations, rights, and duties of the officer constitute the office, and the attempted distinction utterly fails, as what is now claimed in relation to the incumbent, *destroys the office.*

Nothing essential to the Episcopacy was ever granted it by the General Conference, and therefore, by the showing of the Majority, no material power of office can be taken from Bishops, except for *causes* invalidating the *reasons* of their election and consecration. Although properly amenable to the General Conference for both moral and official conduct, they are, nevertheless, essentially independent, for living as christian ministers, and performing their duty according to law, the General Conference has no right to disturb them, any more than *they* have right to disturb the General Conference in the performance of its constitutional functions; the Annual Conferences, meanwhile, being essentially independent of both, in their appropriate sphere of action. We have seen the Episcopal office declared to be a trust from God, committed to the Bishop by the hands of the Church; and yet the Majority claim the right to annul the grant without any alledged unfaithfulness to God or the Church, which can be presumed to destroy the *reason* of the grant. The office is not a gift, but a *trust* proper, and the only responsibility of the Bishop connects with the fulfilment of the trust, and the difference of opinion, North and South, is, *we* contend the Bishop is responsible, *according to law*, they, that he is indefinitely amenable, at the discretien of a mere Majority of the General Conference. Law is the standard of judgment for which the South contends. The North, so far as they have made themselves intelligible, substitute opinion and passion. In the Protest, and everywhere else, we have rigidly maintained Episcopal responsibil-

ity to all the intents and purposes of law, and those who misrepresent us in this respect, will find our *High Churchism* in the *law*, and old as Methodism withal.

The General Conference is supreme in nothing essential to Methodism. The articles of religion and standards of belief, the general rules, the Episcopacy, its plan of superintendency, the right of trial and appeal of all ministers and members, *pre-existed*, are of constitutional force, and beyond the power of the General Conference. A limitation of its power is seen, as before, in the instance of the Episcopal office, which it did not create, and cannot fill. Dr. Fisk was a Bishop, so far as the General Conference could make him one, but still was *not* a Bishop in any allowable sense whatever. The "consent and imposition of hands of a Bishop," that is, the *Episcopal consecration of the constitution*, was necessary to make him one.

An attempt to *divest* of power and right, without alledged infringement of the terms of the primary investment, must be regarded as unjust and tyrannous in all cases where the investment is constitutional, and during good behavior, and not merely ministerial and tempory, where it results from the *form*, and not any mere *act* of the government. The power to divest has been urged with great confidence, on the ground that the Bishop is responsible to the Conference. The responsibility is admitted, but the conclusion does not follow, beyond the extent of the *judicial* rights of the Conference in the case. Coke and Asbury state, explicitly, what all know from the Discipline, that Presiding Elders are responsible to the Annual Conferences; but have the Annual Conferences the power of removal, in consequence? All know they have not. Other views of the subject, which follow, will further expose this legal fallacy, as opposed to all just views of the subject to which it is applied.

When it is avowed that the Church is, by organic structure and arrangement, "under the *direction* of Bishops, Elders, and Deacons, according to the forms of ordination," are we to suppose that it is competent for the Elders and Deacons to supercede the Bishops, by stripping them of the functions of control, and so take the entire direction upon themselves? When the General Conference of 1836 distinctly stated that Bishop Roberts was "not able to do effective service," and yet expressly recognized him as "joint Superintendent of the Methodist Episcopal Church," was it in view of *office* or *labor* that the joint superintendency accrued? When the General Conference, in 1820, released Bishop McKendree from the responsibility of performing the duties of General Superintendent, did he cease to *be such?*

The indefinite grant of power to the General Conference to expel a Bishop for "improper conduct," will require a moment's notice, as important conclusions have been deduced from an obviously false construction of the language, by those who have at least had the means of better information. Our theorists, bent upon reforming the Episcopal creed of the Church, insist that by "improper conduct," it is not meant to include actions or conduct involving moral wrong, or in any way sinful in their nature and tendency, but mere faults of character or conduct, such as imprudence, practical indiscretion, &c., not implying any offence against the laws of Christ or the Church. For such conduct merely, it is stiffly maintained a Bishop may be expelled the Church of God, or at least ejected from his office. We reject the position entirely, as not true in whole or in part; and we insist it is as untenable, in all sound reasoning, as it is untrue in the theory of the law in the case. And, 1st, The position dishonors the word of God. The idea that a Christian Bishop may be expelled the Church of Christ, or degraded from office for conduct not involving moral wrong—not in any sense or degree sinful, is in direct and shameful conflict with the plainest lessons and truths of the Bible. It is not only a gross, but an inexcusable offence against the language and ge-

nius, the whole analogy of christian doctrine and ethics, as taught in the scriptures. 2d. It is a position so *strange* and *outre*, so *alien* from all our conceptions of justice and right, that it can never have the suffrage of the good sense and sympathies, much less the high moral convictions of our common nature. The very supposition bears upon its face, evidence of unkindness and cruelty. It exiles a man merely because he is a Bishop, *without* the pale of those charities, whose extension to all is essential to christian character. It exhibits the government of the Church as altogether more exacting than the laws and government of God, and must in the same proportion, place its interests and reputation in jeopardy. 3d. The rule with regard to "improper conduct," was adopted in 1784, when the Church was organized, and no other existed from that period until 1792, and if the construction in question be correct, during this whole term no law of the Church authorized the expulsion of a Bishop for crime, although he might be expelled for the common, if not unavoidable errors of humanity. The first rule was evidently intended as *a general law* for *the trial* of Bishops for "improper conduct" of *any* kind, from the *lowest* grade requiring notice, to the *highest species of crime*. Hence says Lee, in 1792, "we introduced a *new* rule for the *trial* of Bishops," obviously regarding the rule of 1784 as a law for the *trial* of an accused Bishop. We consider it a well settled construction, that the phrase "improper conduct" was used in the legislation of the Church, to cover *all kinds of conduct* inconsistent with christian or ministerial character, whether applied to Bishops or others. Dr. Emory evidently understood the subject in this light. He says of Bishops, "this superiority is accorded to them only so long as they are not judged *guilty* of any *improper conduct* requiring their *degradation*," plainly assuming that the phrase denotes any immoral or other course of conduct requiring suspension from office, or expulsion from the Church. Improper conduct, in the law of trial under notice, is used to denote any kind of conduct in a Bishop, so inconsistent with the purposes of his appointment, and the obligations of his office, as to require the official notice of the Church. Dr. Bangs gives it as the sense and substance of the very law or rule in question, "if *accused*, the General Conference has power *to try*, censure, acquit, or condemn a Bishop." The power can only be exercised judicially, by due means of "accusation and trial."

The phrase, "*improper* tempers, words, or actions," found elsewhere in the Discipline, has a perfect equivalence of meaning, and yet we know its import is so grave and strong as to be followed by *expulsion* from the Church. By turning to the old Minutes, Lee's History, and contemporary records and journals, it will be found that the terms *disowned*, *dismissed*, *expelled*, and *laid aside*, are used indifferently and interchangeably to denote the same thing, *severance* from the Church. This will not be disputed, and the use of these terms will help us to an understanding of the law we are now examining. Dr. Bangs mentions the *expulsion* of several preachers in 1788, "for *improper conduct*." In 1786 Leroy Cole was *expelled* for alledged "improper conduct." (This expulsion was unjust, as the Conference admitted at its next meeting, when he was restored.) The Minutes of 1793, ask who have been *disowned* (expelled) for "improper conduct?" and we are informed James Bell was. In 1794 Simon Carlisle, David Richardson, James Johnston, and David Valleau, were all expelled for "improper conduct." A short time subsequent to the organization of the Church, Enoch Mattson, Adam Cloud, and Thomas Chew, were expelled for "improper conduct." In 1792 Lee informs us, a rule was introduced "for the *trying* of Traveling Preachers who might be accused of being guilty of 'improper conduct,'" and the definition of what is meant by "improper conduct," is "being guilty of some crime expressly forbidden in the word of God, as an unchristian practice, sufficient to exclude a person

from the kingdom of grace and glory." The legal use of the phrase has, beyond doubt covered all the forms of moral delinquency, since its first introduction into the Discipline. The rule for trying a Bishop in the intervals of General Conference, adopted eight years after the first, was obviously intended to supplement and explain the first rule, as both defective and indefinite. Coke and Asbury explain the phrase in the same way; they say the *various means of trial* to which *all of us* are subject, which applied to Bishops, is without truth or meaning, unless our construction be correct, as but *one* mode of trial would be left them, upon the construction we oppose. They also clearly assume, that *any* charge of "improper conduct" against a Bishop, to be followed by censure or disability of any kind, can only be acted upon in due "form of trial." As the explanatory synonym of the phrase "improper conduct," they say "*tyrannical* or *immoral* conduct," as authorizing "severe censure" and a "change of men." "They are conscious the Conference would neither *degrade* nor *censure* them, unless they (Bishops) deserved it." "They are subject to be *tried*." "No Bishops on earth are subject to so strict a trial." "They are as responsible as any of the Preachers." The idea of *judicial trial*, pervades the whole comment. Finally, they speak of Bishops as liable to be "expelled the Church" (not their office merely) on the charge of "improper conduct." From all which, it must result inevitably, not only that the construction put upon the phrase by the Majority, is an utter mis-statement of the law, and perverts it entirely from its orignal meaning and intention; but that all the ingenuity and artifice expended upon the labored attempt to show that a Bishop of the Methodist Episcopal Church may be laid aside, divested of office, or even expelled the Church, for conduct not involving moral delinquency of any kind, must fall to the ground, without claim to any thing like reason or credibility. If correct in our premises and conclusions, the former of which will be found in the law and history of the Church, and the latter we think legitimate and necessary, it will be perceived at once, that the principal warrant of the Majority in the prosecution of Bishop Andrew, is utterly destroyed. They had no such right, discretion or warrant, as contended for, and proceeding against him as they did, not only invaded law and right in his case, but adopted a *principle* of action with regard to *others*, placing in manifest jeopardy, the dignity and value of the Episcopal office.

It may be proper to recur to the question of amenability. About the fact that a Bishop is amenable to the General Conference for his moral and official conduct, there is no dispute. We contend, however, that a Bishop is not amenable so as to be in the hands or power of the General Conference, affecting his office or the exercise of its functions, as specified and secured in the constitution, except for conduct coming under the *judicial* cognizance of that body, by license of law pursuant to the constitution. To this extent he is strictly amenable, and should always be held so. The amenability we oppose, is a claim of right by the General Conference, to hold a Bishop responsible to the *judgment* or *opinions* of that body without reference to law, inasmuch as it is the supreme council of the Church, and its will must *be law* at any time. In support of this theory, great reliance is placed upon a recent statement of the Bishops, to the effect, that the authority of the whole executive administration proceeds from the General Conference. If this be conceded, it does not conflict with our reasoning. Still it is quite certain the Bishops did not mean what it is attempted to make them mean. They knew that the original investment of power in the executive department, say Episcopacy, was not by the General Conference or body of Preachers; *they* had no such power to part with, but inasmuch as the constitution invested in the General Conference the *right to select* the incumbents of the Episcopal office, with the additional right to regu

late the Episcopal charge, *provided* they disturbed nothing *essential* to *Episcopacy* or its *plan* of superintendency, as a pre-ordinate power and department of the government, it is entirely proper for the Bishops or any body else, to speak of the authority of the executive administration as derived from the General Conference. Limited and understood as above, it is true, and doubtless best that it should be so. We would not have it otherwise. Meanwhile, the vested right of the chief executive officers of the government, are protected by the constitution, which merely makes the General Conference the *organ of investment* without right to disturb or recall, except for improper conduct manifestly defeating the ends of the investment, and then only in virtue of the *judicial trust* committed to the Conference by the constitution. Hence in the same connection the Bishops speak of their responsibility to the Conference as a "judicatory" and "constitutional tribunal." When they speak of their "superintending agency," they must mean *under the constitution* and not the General Conference, in any conclusive sense. They knew the *legal* subjection of the General Conference to the constitution, to be the same as theirs, and therefore, that any claim of control except such as we have specified, could not be admitted by them, without the *betrayal* of a *constitutional trust*. Hence again, they speak of "all things being done in every official department of the Church, in strict conformity to the constitution and the Discipline."

That the Bishops did not mean a subjection to the General Conference, the test of which shall be the mere will of that body, apart from the constitution and laws, stands out in intelligible relief, in the same connection from which we have quoted. They say, "the primary objects of *their* official department in the Church, were to *preserve*, in the *most effectual* manner, an Itinerant ministry—to *maintian a uniformity* in the *government* and *discipline*, in *every* department." The kind of responsibility they readily admit, is that for which we contend—"responsible for the discharge of the *duties* of their *office*," is their language; "the office," they add, "you have *committed* to us." While the Bishops knew themselves responsible to the General Conference for their conduct, both as individuals and officers, they knew equally well that they were not dependent for right and prerogative, as they derived these from the constitution, independently of the General Conference. It is certainly not very complimentary to the intelligence of the electors, to suppose they would make men Bishops so grossly ignorant of the constitution as to suppose that the rights and powers of the Episcopacy depend upon the General Conference. Sandford, speaking of Episcopal responsibility to the General Conference, says, "a Bishop is responsible for his *christian, moral, and official* conduct." Dr. Bangs says, "he is amenable to that body for his *moral* and *official* conduct." Dr. Elliott says, "from them" (we have shown in what sense only,) "he derives his powers, and to them is accountable for the *exercise* of them. Also, "He is accountable for the proper *discharge of his duties*." Dr. Bangs assumes that "those who invest another with ecclesiastical orders, on condition that he possesses certain qualifications and continues to discharge the duties of his office, have a power and a right to divest him of it whenever *he fails to fulfil these conditions*." Bishop McKendree says, "I consider myself justly accountable, not for the system of government, but for *my administration*, ready to answer for *past conduct*." Dr. Elliott, in vindicating a Bishop against the absurd idea of any except *legal* responsibility to the General Conference, declares, "if they had no Discipline *to bear* on his case, then he could not break their laws, as they did not exist." Sandford accounts for the Bishops' amenability to the General Conference by remarking, "it possesses *judiciary* powers respecting the Bishops." Bishop McKendree, reasoning expressly upon the responsibility of "Bishops, Elders, &c." affirms "the suspending *power is clearly restricted* to such crimes as are expressly forbidd

in the word of God." The Bishops have recently said of themselves, that "they are amenable to the General Conference not only for their moral conduct and the doctrines they teach, but also for the faithful administration of the government of the Church, according to the provisions of the Discipline." These and innumerable other declarations to the same effect, constituting the *staple opinions* of the Church on the subject of Episcopal amenability to the General Conference, show, with a conclusiveness which cannot be affected by argument or sophistry, that the new theory of the Northern school, is in all its essential parts and tendencies, subversive of the old, and directly at war with the constitution of the Church. No man can read the arguments and avowals of those to whom the new theory is justly patented, without perceiving that there exists, and always must, the most invincible repugnance between the commonly received doctrines of the Church, and the innovations it is so boldly attempted to substitute in their place. We say substituted in their place, for the two theories cannot co-exist in practice.

Coke and Asbury remark, "if ever through *improper conduct* the General Conference looses confidence, in any considerable degree, (in the Bishops,) they will *upon evidence*, &c." And again, "if ever the Episcopacy evidently betrays a spirit of tyranny or partiality, and this can be *proved before* the General Conference, &c." Showing that both of the last arguments submitted, are fully sustained by the Bishops. They understood improper conduct to mean misconduct of any kind, such as "tyranny, partiality, immoral conduct," and they further and distinctly let it be known, that the "evidence" and "proof" of *trial* "before the General Conference," is the only mode of testing the issue. We have already noticed for another purpose, unequivocal evidence that the view we take of this subject is correct. "The letters of Episcopal ordination" held by the Bishops say, "set apart, consecrated, and ordained, to the office and work of a Bishop, *so long* as his spirit, practice, and doctrine are such as become the gospel of Jesus Christ, and he shall *submit to* and *maintain* the *Discipline* and *order*" of the Church. A claim of right then to disturb, remove, or degrade, while the Bishop submits to law and order, and maintains them in administration, involves the claimants in the charge of falsehood as well as faithlessness, for in the "letters" above, they are sacredly pledged to the contrary of what they claim. But these "self imposed" restrictions, removable at will, are supposed fully to secure the General Conference against all legal embarrassment. The expedient is, so says the argument of Bishop Hamline and others, if a law be needed the General Conference can, in a moment, make it for the occasion. And the result is, the restrictions *restrict* no body—nothing. The Conference has unlimited license—there is no restriction at all except as the resolves and acts of the Conference at different times, become the antipodes of each other, and limit by *obstruction*. Let this claim be applied to the assumed legislative, judicial, and executive supremacy of the General Conference, and in theory we have as veritable a tyranny as ever existed on earth, and the only safety of the Church will be in the intelligence and virtue of the men composing the body. They may not do wrong, may not oppress, but that they have, so far as this theory of government is concerned, as good a right to do wrong as to act otherwise, no one can doubt. Dr. Bangs says, "the acts of the General Conference are *tried* by the restrictive regulations, which define and limit their powers." The Dr. certainly does not mean that they are their *own triers*, but that their acts are to be tested by these rules, and the other departments act in accordance with the conclusions at which they arrive in the case. The President presiding over the deliberations of the body, by appointment of the constitution, is there for the several purposes, as *has been seen, of general* oversight—as the representative of the Church at large in its

various departments and interests—to preside and moderate in the sittings of the body, and always respecting and asserting its rights, nevertheless *superintend* there as elsewhere. He is not there for the *direct* but *auxiliary* purposes of legislation and judicial procedure. Hence, in judging of the acts of the body, his position is materially different from that of the elected—the *local* and *sectional* delegates of the body, and the reasoning which would apply to them, cannot apply to the constitutional head of the assembly. He is in the body, with constitutional right, to further the objects of its appointment.

We have shown, in various ways, that the imposing pretence that the Church met in 1808, to frame a constitution, can only mean, so far as the truth of history is concerned, that it was the purpose of the Episcopacy and Annual Conferences, as the proper contracting departments and parties, not to allow the project of a Delegated General Conference to go into effect without adding to the constitution, proper restrictions and limitations, with regard to the rights and powers they would be likely to assume. It was the specific object of that Conventional Conference to prevent the preferment of any such claim in behalf of the General Conference, as that against which we are now protesting. The imposition of these restrictions was eminently *the condition* upon which a Delegated General Conference was *allowed to exist at all*, and yet this body, thus limited and restricted, claims to determine whether they will abide constitutional restraint, as imposed by others, or not rather create constitutional prerogative as they may stand in need of it. And to render this *sliding scale* of constitution and law every way facile and easy of management, it is assumed that the only restrictions upon the General Conference are "self-imposed," and may, of course, at any time be overruled by prerogative! These are the miserable inventions, such the *sans culotte radicalism*, for *protesting against which* we are denounced as reckless "divisionists," engaged in a crusade against the unity of the Church, which *they* themselves had *destroyed*, while we were praying them to withhold their hands! We appeal to facts. Let the developments of this Review, and others equally important, be calmly and carefully weighed, and we are content to abide the issue. In every aspect in which we are able to view this exhorbitant claim of General Conference power, we regard it as absurd and dangerous. There certainly must be something in the constitutional structure of the government to check and counterbalance such a state of things. And, in part, as we have shown, we believe beyond cavil, such check and resistance must be found in the Chief Executive Officers of the Church. We do not mean power to control the General Conference, except so far as to check and moderate, and keep it within the limits of the constitution. When it is obvious, for example, that an act of the General Conference is subversive of constitutional right, it is the plain and undeniable duty of the Bishops, as constitutional officers of the whole Church, to resist the wrong in a proper manner, and not give sanction and currency to a grave constitutional abuse, by transforming a legislative or judicial error into an executive general evil. In this way the subject would be brought, in due form, before all the departments of the Church, equally independent, under the constitution, and the proper correction of the evil would, in due time, be the probable result. If Bishops are allowed to have judgment and conscience in the premises, how can they act otherwise than as we suggest? When the General Conference, in the judgment of the Episcopacy, have not only failed to represent the constituent bodies electing them, but so acted as to inflict deep and permanent injury upon them, are not the Bishops, as having the general oversight of all, allowed to dissent, and in a proper and respectful manner appeal the case for remedy to other departments of the Church? It is not intended to claim that any express

grant gives full and perfect right to this effect. It is not alluded to as matter of right, except upon high moral grounds, connected with the reasons and aims of government. The power of the *suspensive veto*, at least, must be found *somewhere* in every good government, in every government, in fact, which is not a tyranny, or liable to become one at any moment. If practicable, we prefer that the power of check and balance should be found in each department, with regard to the rest—any other; but if this be not practicable, owing to the peculiar form of the government, or is wanting for any other reason, the right will, of necessity, often accrue in extreme cases, and, from the natural operation of cause and effect, to the *Executive* department, much more frequently than the others. When we say of necessity, we mean, it is often *necessary* to accomplish the objects of the constitution, and when this is the case, the right is inherent in the system, whether it exist as a formal grant or not. It is well known to have been the opinion of Bishop McKendree, that without the exercise of this power, as occasion may demand, the executive branch of the government of the Methodist Episcopal Church could not maintain its effectiveness. It will be recollected by many, that Bishop McKendree, upon a time, firmly and peremptorily refused to ordain a man elected to Elder's orders, by the New York Conference, because, as he alledged, they had infringed the constitution in his election, and, as a constitutional officer, he refused to endorse the proceeding. We have seen he acted upon the same principle in 1820, with regard to the "suspended resolutions;" and it is known, that in 1824 he had a measure brought forward, the object of which was, to give to the Episcopacy, subject to proper restrictions, the right of the negative we are noticing: not with any view to lessen the final power of the General Conference, but to protect the rights of the Episcopacy and Annual Conferences, and secure an effective well balanced administration of the government. This view of the subject is introduced merely by the way, to bring before the reader the rights and powers of Episcopacy, not on *scriptural* grounds, but as an elementary principle of the government of the Church, and vitally connected with its effective administration. Under the belief, formerly, that the claims of Episcopacy, in the Methodist Episcopal Church, both as it regarded ordination and jurisdiction, were prescriptively based upon *divine scriptural* right, we rejected the claim as destitute of any thing like fair or reasonable warrant. When led, however, to examine the subject in the light of a *conventional arrangement*, in the original organization of the Church, and subsequent adjustment of the different parts and powers of the government, the whole subject of necessity assumed a different aspect, and approval or disapproval turned upon the subject matter of two simple questions: 1st. What are the rights and powers *conventionally* secured to the Episcopacy, and by consequence *constitutional*, in the government of the Methodist Episcopal Church? And, 2d. Viewing the ecclesiastical system of the Church as a *grand missionary organization*, are *these rights and powers* necessary to secure an effective administration of the government, and the ends proposed by the system? Having satisfied myself with regard to the first, and answered the second affirmatively, I immediately adopted the general views I have since entertained, and with which I am involved in this controversy. Since the termination of my connection with the former controversy, seventeen Annual Conferences, whose administration has been approved by five successive General Conferences, (of all which I have been a member,) have extended to me official public approval, as worthy of their confidence and that of the Church. I have proofs in my possession, that during the whole period in question, I have had the friendship and confidence of the first men of the Church, East, West, North, and South, always including a decided majority, if not ***the entire bench of Bishops***. Under these circumstances, and not to extend a notice of

myself, to which I am driven by gratuitous insult and injury, I must be permitted to say to my recent *villifiers* through the medium of the press, that if, at whatever additional expense of truth and decency, it will be any gratification to their malignity to proceed further with their abuse, humble as I am in reputation and resource, I can *afford* to let them.

If we understand the claim of General Conference power, it is that all the power of the government is in its hands. It is true the restrictions are admitted to throw some difficulty in the way, but it has been seen that the removal of the difficulty is conveniently provided for. If we do not misconceive the recent revelations on this subject, the doctrine is, that the power of *government proper* is in the General Conference, undivided *with*, unmodified and unmediatized *by* any other department of the system. It would be an easy task to show that hundreds of postulates and assumptions, and long trains of reasoning, of Northern origin, during the last ten or eleven months all tend to this, and we cannot help thinking, it is our deliberate conviction, that a claim like this, to *make*, *execute*, and *judge*, in relation to *all law*, is as preposterous a claim to *absolutism* in the *structure* of government, as any known in history. The reason is obvious; there is no mediatizing, qualifying power in any other branch of the government. Now whether the supposed binding force of the restrictive rules be admitted or not, we have seen and shall have occasion further to show, that this claim of power is subversive of the only theory of government we have, and is likely soon to result in consequences greatly injurious, if not fatal to its usual vigor of administration. I have had no communication with any of the Board of Bishops on the subject, but am perfectly satisfied from my knowledge of the men and their general views, that a majority of them are of the same opinion, and regard the government, in this respect, as in a course of revolution, which may or may not be arrested and turned aside from the primary objects had in view, by the movers and supporters of the project. It will thus be seen, important issues are involved beside the slavery question. The spirit of change and innovation is abroad. Distinct spheres of authority in the Chnrch are in conflict. Immense masses of mind and feeling are antagonizing in different directions. The swell of the earthquake is beneath us. Under such circumstances, how, by what organ or organs is the Church to act, in remedy of the evils already upon us? What can a General Conference do? A General Conference brought on our misfortunes. Its action in regard to Andrew and Harding, as the pretext for more decisive, and as we have proved, *unconstitutional* and *lawless* movements against slavery, has destroyed the confidence of the South. The North, under the dictation of the Press, are rapidly placing themselves in direct hostility to the General Conference, on the question of *separation*. What then could a General Conference do? Precisely what the Baltimore and Illinois Conferences expect them to do, re-assert the lawfulness and necessity of the proceedings of the last General Conference, on the subject of slavery, and by new legislation attempt to *nullify its contract* with the South, as to the division of the Church. All Delegates would be elected upon strictly party grounds, and all action had in view of party purposes; I mean the great objects of the parties respectively, on the two great questions, slavery and separation. I see no power or likelihood of remedy, but the high moral certainty of increased evil by such an arrangement. The parties North and South are being so compactly formed and firmly pitted against each other, that it is entirely probable a majority of the old Delegates would be returned, and if not, men of the same sentiments and feelings beyond doubt, and it requires but little discernment to see what the result would be. I have from the first, believed that mere General Conference Agency, can avail nothing toward an adjustment of the difficulty.

At the close of the General Conference my hopes of adjustment were connected with the Annual Conferences and the Episcopacy, but the Annual Conferences are now committed North and South; Bishop *Andrew* is a *Rebel*, and Bishop *Soule* a *Tyrant* by proclamation, and the tone of my hopes in these directions is greatly lowered. Still, I am individually disposed to favor *any plan of adjustment* likely to give us a state of things preferable to the present. I will go in for testing or trying any measure of adjustment or compromise, by means of *General Conference, Annual Conference, or Episcopal interposition*, the only constitutional methods to which we can appeal, as the government precludes the Local ministry and people, beyond the right of advice and remonstrance. I will go in for any or all of these, *provided* it can be done without affecting the *ultimate obligation of the contract* now existing between the Northern and Southern Conferences, on the subject of separation, should the *attempt fail.* This is certainly *fair* and *just* in regard to both parties. Let us be assured, then, upon the basis of *reliable stipulations*, that such effort or efforts at compromise, shall not, in the event of failure, affect in any way the *validity* of the General Conference plan of separation, by operating a *forfeiture of right, or destruction or abatement of obligation in relation* to it, and I will favor compromise in any constitutional form in which it is at all likely to succeed. If the *union* of the Church be the object, no man can object to this. So far, however, as an attempt at adjustment is intended to *release* the North or South from the contract in question, or may tend to place *in jeopardy* the interests of that contract, I am bound in truth and honor to resist it. I repeat, however, that if assured as above, that in the event of failure, the parties North and South are to *fall back upon the rights and obligations of the contract* in question, I will wait any length of time, will perform any labor, will do or suffer to any extent, suggested by the reason or fitness of things, to place the Church where it was on the 1st of May, 1844. Meanwhile, committed as I am in company with the Southern Delegations in the late General Conference, and every member of the late Kentucky Conference, (save one) to *principles and issues*, plain and unambiguous, found in the Declaration and Protest, the Southern Address, the provisional arrangements for the Louisville Convention, and the official recorded action of the Kentucky Conference, and from which there is no honorable retreat, except upon *avowal of a change of opinion and conviction*, upon the *merits of the whole subject*, I cannot consent to any course or measure, the effect of which will be to *unbind* the North and *disfranchise* the South, in view of the obligations and rights of the plan of separation. Any thing short of this I am ready to support. I know many who approve the general course of the South are opposed to any conclusive action by the Convention, fearing it will preclude the hope of future adjustment. Such persons have our respect and sympathy. But it is worthy of grave enquiry, whether such action, to the extent of *formal organization* to go into effect *contingently*, is not the only available method of getting at compromise at all, unless the South are prepared to compromise by unconditional submission, to exparte dictation. This last conclusion and course have, beyond all doubt, been resolved upon by small portions of the Church in Kentucky, and elsewhere upon the Southern border. Whether the same indifference to the principles and interests involved in this controversy, will mark any considerable portion of the Church, remains to be seen. That it is the purpose of many to call and clamor for compromise, who merely wish the South to *forfeit their rights* under the contract of separation entered into by the parties of the last General Conference, is well known and understood, and against this intrigue and such treason, it is hoped the South will be sufficiently guarded. In a word, we would say to the North, we are ready to abide *the contract between* us, in the shape of a legislative enactment of the General Con-

ference, or if there be *any hope of compromise*, we will agree to *suspend the fulfilment* of its stipulations, until the trial is fairly made, and should the attempt fail, both parties must *abide the issue* of the General Conference plan of separation.

The claim of unlimited arbitrary power by the General Conference, is so offensive to the genius of our government, we know not how to dismiss it; and convinced as we are that a virtual co-ordination of powers among the departments in the general administration, is essential to the stability of the government, we must ask the attention of the reader to some additional arguments. We have shown that by the whole amount of the Episcopal power of the government, the claim in question is of necessity reduced, as that is incontestably proved to be an elementary power of the government, not only before the General Conference existed, but from the organization of the Church, and before it had a Presbyter in it. As the General Conference did not create the Episcopal office, so it never had the power to fill it. It may select a person to fill, and in case the Church has no Bishop, may select Presbyters to consecrate one, but this right and power of consecration are not derived from the General Conference, but from the power of ordination in the Presbyters, derived from their *own Episcopal* ordination. In consecrating a Bishop, they represent not the General Conference but the Episcopacy, the Bishop or order of Bishops, from whom they essentially derived the right and power they now exercise. Add to this, what is in proof in the general argument, that the constitutional (I do not say scriptural) validity of the consecration, turning in a very material sense upon the *prescribed form* of consecration, which form is a part of the constitution, exists, and is of binding obligation, independently of the General Conference. This ground, too, of General Conference claim, so exultingly relied upon, is further overthrown by the fact, that in the consecration in question, the General Conference has *no will or discretion* of its own, except in the mere matter of saying *who* is to be selected for the office. The constitution tells them that they "shall elect," and that the Elders "*shall ordain.*" It is not the Conference but the constitution which directs how the Episcopal power of ordination is to be exercised by Presbyters, in a case of extreme necessity. The constitution is careful to show that *no* Episcopal power (instead of all, according to Bishop Hamline,) belongs to the General Conference. When our first Bishops say they are at the "mercy" of the General Conference, and also the "little Conference" or committee of nine for the trial of Bishops, they do not mean, as we have proved by their own declarations, that no *law* is interposed between them and the General Conference, but that the Conference, as the tribunal to try them, could *keep* or *break* the law by a *just* or *unjust* application of it, and hence *judicially*, they were fully in the power of the Conference. The old General Conference, however, had a vague claim to power in this respect, which the present delegated General Conference does not possess, the amendment to the constitution in 1808, expressly restricting it. The General Conference has no power over a Bishop on the ground of *prerogative*, not a particle. The power they have by the Constitution we do not object to; it is asserted in the Protest and admitted by the whole South. Take the sum of Episcopal powers:—the right to preside in the General and Annual Conferences; to fix and control the appointment of all the Traveling Preachers; the exclusive right to ordain; the power of the general executive administration, in the intervals of the Conferences especially; to travel at large and superintend the spiritual and temporal interests of the Church, throughout the entire connection, together with the incidental rights and powers necessary to accomplish these objects. These are all protected by the constitution, and without its violation the General Conference cannot reach them, so as to "change, alter or destroy." The only power re-

cognized by Bishop Hedding, in the positions quoted from him on this subject, which can possibly affect our reasoning, is in the *body of Traveling Elders*, and cannot be brought to bear upon the constitutional claims of Episcopacy, except as before shown in this argument. The inferences from Bishop Hedding, confounds the body of Traveling Elders with the General Conference, as a representative council of the Church. The constitution keeps them separate. If it be said this council represents the Elders in question, it is sufficient to notice in reply, that it equally represents the Deacons, and is no more a delegation from the Elders than from the Deacons, so that the one cannot be substituted for the other in argument, without a misstatement of facts, as well as logical confusion. The inference of power here, from the premises assumed, is further invalidated from the fact, that the power claimed never did belong to either the body of Traveling Elders or the General Conference, and could not therefore be *ceded* or *invested* by either. After the institution of Episcopacy and its full investment with all its present rights and powers, that can in any way be deemed essential, it was conventionally agreed to deposite the right to elect Bishops, and the judicial power to try them in case of delinquency, with the General Conference, and this is the only controlling power the General Conference has in the premises. The facts of history indeed, compel us to go farther than this; it is not only true that our Episcopacy did not *originate* with the Eldership, but it is equally true, as just seen, that it is *perpetuated* by them to a very limited extent only, for 1st. The General Conference is the Representative Body of the *Deacons* as well as Elders, and 2d. Its power to *perpetuate* is but auxiliary, being confined to mere election, which invests *no right* of any kind in the person elected, beyond saying he *may* be invested with right and power by those having authority to make the investment, after election by the General Conference. Thus showing, that in every representative sense the Deacons divide the power assumed, with the Elders, and that in both, and after all, it is merely adjunctive to a more substantive power, which the constitution has bounded as a separate sphere of action. The protest in assuming Episcopacy to be a co-ordinate branch of the government, intended to convey the idea usually conveyed by such phrase, that it is an independant department, a separate sphere of executive power and action, standing in the same relation to the constitution that the General Conference does, that is to say, as the Episcopacy cannot constitutionally invade in any way, the rights and powers of the General Conference, so the General Conference has no constitutional right to touch, in any form, the vested rights of the Episcopacy. The co-ordination we assume, is not to be judged of by any estimated *equality* of powers, when the different departments are simply compared with each other, but *in so far* as they are *independent of each other*, in their relation to the constitution. This is the view of the Protest, and we show it to be the doctrine of the Church. The very language of the constitution avows it in the 3d restrictive article. When Bishop Hedding speaks of the body of Traveling Elders having power to "reduce, limit, or transfer to other hands" Episcopal power, he is not speaking of General Conference power, but merely of the constitutional right of the Annual Conferences to *change* the form of government, and do away Episcopacy entirely. This however, is *Annual* not General Conference power, and beside, it no more belongs to Elders than to *Deacons*, as we have seen. We ask attention to this fact as materially affecting the adverse argument. All the authorities urged by the Reply to the Protest, except the misconceived opinion of Bishop Hedding, are *inapplicable* and *out of place*, because based upon the old order of things, before the powers of the General Conference were restricted in 1808.

Powers before conceded, not constitutionally, or in any accredited form, but apparently by common general consent, were in 1808, expressly *denied* to the General Conference by a constitutional limitation of the powers and rights of that body. On this account, much that is said by Coke and Asbury, in their Notes on the subject of General Conference power over the Episcopacy, is now *entirely inadmissible* as an exposition of law, and it is the shecrest "sophistry" to appeal to it as such. The same is true as to the opinions of Asbury and McKendree, in 1806, as quoted by the Rev. J. Young, and similar quotations made since in the Northern papers, from Dickins and Watters. These concessions all date back to an order of things not in existence since 1808, and can, therefore, have no weight whatever against the force of our general position on this subject. All the power now found in the General Cnoference over the Episcopacy, amounts to nothing more than that Bishops are legally and strictly responsible for their conduct as Ministers and Bishops, and that it is competent for the Conference to lay them aside, by judicial process, whenever they shall be found guilty of misconduct either as men or officers, which obviously requires it. This power the Conference ought to have, and it is enough to control the Episcopacy and prevent the introduction of any serious evils into that department. We are unyieldingly opposed to any power in the Episcopacy by which the Church can be oppressed, but we are not less opposed to any such power in the General Conference or else where. To prevent such a result is our only object, and we essay to do it not by proposing any thing new, but by showing that what our positions desiderate, is already found in the government. We do not claim as much power for the Episcopacy as belongs to the General Conference. We are content that the Episcopacy shall have incomparably less power. Let that body, as the legislature and high Court of Appeals, be "supreme" in the parlance of the Church. All this may be so and yet our reasoning be correct. The co-ordination of the Protest, so far from meaning the alledged "supremacy" of the Reply does not denote even an approach to *equality* of power, and in jurisprudence is never used for such purpose. It means simply, existing *independently of other departments* by the *organic laws* of the government. In the same way *geographical* departments may, and often do, in Church and State, exist under the same organic laws, and in this sense the Kentucky Conference applies the term "co-ordinate," to the proposed Southern organization, and *law* and *public opinion* will sustain the construction. Such an organization, should it take place, will not be claimed to be *the* Methodist Episcopal Church, as before stated, to the exclusion of the Northern division, but authorized *by that Church* to exist under *all its organic laws* without the exception or change of any one of them, it will be to all the intents and purposes of Church unity, a "co-ordinate" division of the collection of Ministers and people in the United States, known as the Methodist Episcopal Church. This Church has no corporate or other unity except what arises from having the same *creed, liturgy, laws*, and *moral discipline*, and as none of these are affected by the division proposed, the real unity of the Church cannot be affected by the contemplated change. The unity contended for by those who, renouncing the authority of the Church, have thrust themselves into the place of the General Conference, and are attempting to dogmatize the Church into submission, is without meaning or application, beyond the mystic charm of a mere name. Upon the principles of reasoning they adopt, there can be no union between them and the British, Irish, and Canadian connexions of Methodists, for these, with the same faith, liturgy, moral laws, and Discipline, are not *the Methodist Episcopal Church*, and must, therefore, be *aliens*, by the logic brought to bear upon the South. If the union so lustily fought for, without being defined or made intelligible, be *moral and spiritual, the mere* name is nothing, but applies to all christians of what-

ever name. If it be the union of a multitude with the same faith, the same rites and ceremonies, claiming to be subject to the same organic laws and moral regulations as to life and conduct, then all the denunciations against the South, as "seceders and schismatics," must be traced to something less sacred than *truth* and *principle*, for these can lend no support to the injustice and outrage under which we are suffering, without even being charged with offense against any law of the Church, and for only proposing to do, what the highest authority of the Church has declared *all who choose* may do "WITHOUT BLAME!" Were we offenders equally with the North; had we violated the *constitution and laws* of the Church; had we dishonored its *official pledges* and trifled with its most *sacred stipulations;* had we assailed the *constitutional tenures* of office, and claimed the right of *taking back* what we never *bestowed* and never *had it in our power to bestow;* it might be different with us; we might feel, *not as now;* as it is, we know ourselves to be greatly wronged and deeply injured, and cannot respect as we wish to, either the motives or the means embarked in the effort to degrade and destroy us. But to return. It may be urged, that our view of the theory of Methodist Church government, will bring the Episcopacy or Executive Department in conflict with the General Conference. In our judgment, however, it is the only mode of avoiding it, and we are perfectly satisfied that upon the plan we oppose the two cannot co-exist in effective action. We regard it as entirely important that the General Conference should have all the power now properly belonging to it. We would not deprive it of a particle of its present power or right. What we except to, is the late exorbitant claim of power, (as by Bishop Hamline,) never before asserted in behalf of it, at least since 1808. The General Conference must possess the necessary power to hold in salutary check any tendency of the Episcopacy to assume or usurp what does not by right of law belong to it, and such power it certainly has at present, and we think in just and adequate degree. And to accomplish the same purposes of good to the Church, it is equally necessary that in the constitutional distribution of power, the Episcopacy should not depend upon *the will* of the General Conference for *right* and *prerogative*. Hence the constitution places these beyond the control of the General Conference. We have shown with perhaps sufficient force and clearness, that the General Conference right of *election*, has no connection with the rights and powers of Episcopacy. These were pre-settled in the constitution, long before the existence of a General Conference or the election of a Bishop in any proper sense, for the informal election of Asbury in 1784, was perfectly null as to any *right* of election, there being neither Elders nor Deacons in the body, except the Wesleyan "assistants" of Coke and Asbury, and a merely lay election could certainly confer no *clerical* or *ecclesiastical* right. It was entirely proper to consult the wishes of that body of good and sensible men, but they had just admitted to Mr. Wesley, they had no right to elect any man to clerical orders of any kind. Nothing is clearer than that Bishops are elected by the General Conference without deriving any power or privilege from it. The General Conference gives nothing constituently connected with the office, and can take nothing away, except judicially. Regulations relating to the ways and means of Episcopal administration, not affecting the rights of office, are made by the General Conference, with full and perfect powers, and these *reduce* or *increase* Episcopal power *in fact*, according to their nature and character, but our argument turns entirely upon things vital to Episcopacy, as a fundamental power. The Northern argument against the claims of Episcopacy, as set forth from the fathers and founders of the Church in this sketch, which we are compelled to collect from different sources and collate as best we can, is so entirely miscellaneous in character and *Protean in shape*, we find it difficult to give suitable form and consistency to any exami-

nation of it. The critical reader will find himself a little dissorted in this respect occasionally, but when he recollects that we are only pledged to general outline views, he will perhaps, after discounting such real or seeming irregularity, meet with sufficient point and concentration in the argument, as a whole, to enable him to judge of the true merits of the question at issue.

Is it possible for any person of intelligence and candor to examine the questions in controversy respecting Methodist Episcopacy, without being struck with the contrast between the new Episcopal theory and the old, as we have found it in the staple productions of the Church? In the common convictions and standard writings of the Church for sixty years, Episcopacy has been a distinct and well defined organism, so constitutionally interwoven with the government, as to give name and character to the Church. According to the new theory, it is a mere "ministerial executive regulation" of the General Conference, which they can dispense with or continue at pleasure. With "the fathers," it is the great primary principle of Church order, expanded into an actual department of the government, so connected with the other departments as to secure energy and harmony of co-operation, and yet so independent of them in the fulfilment of its high trust, that except for crime or mal official conduct in the incumbents, it cannot be changed from *what it is*, unless by a change of the constitution. The recent re-construction of the old theory teaches, that the General Conference may find it necessary either to discontinue the "regulation" of having general superintendents, or may so regulate the fact and plan of Episcopal oversight, as to have the supervision of *whatever kind* the Conference may prefer. It used to be thought, that Episcopacy was the most original elementary agency in the organic formation of the Church. The late discovery is, that the General Conference originated both Episcopacy and Episcopal authority. The old doctrine was, that Episcopacy pre-existed and united with the Annual Conferences, in giving birth to the General Conference, and finally that these as the *superior authority*, by imposing proper restrictions upon it, provided amply for the security of the parties creating it, as one of the principal organs of Church action. This error is now corrected, by its being ascertained that the General Conference is a self constituted body, limited in right and power only by "self imposed" restraint. The former doctrine was, that in every original sense, Episcopacy was derived from Wesley—that ordination by Wesley gave birth to it, and that election by the lay Conference of 1784, was not even an incident in its institution, but a mere "receiving" of what Wesley had provided for his societies in America. The contrary of this is now assumed with imposing boldness, and it is contended that Episcopacy is of conventional *Conference* origin. Former opinion admitted the conventional character of the Conference of 1784, but was careful to discriminate, that in whatever *other* aspects it was conventional, it had *no agency* in the institution of Episcopacy. Now, however, it was a principal agency, for without this assumption, the subsequent agency of *election* would lose the virtue claimed for it. It was prevalently understood formerly, that as the General Conference was the last organic department erected in the construction of the present government of the Church, it could have had no participation in *producing* the others and none of their powers except by transfer. Now the claim is, it possesses all the power of both, because the old departments conceded to the new, upon its establishment, that it might elect and try Bishops for "improper conduct." and say when a new Annual Conference shall be created, although without any right or power to *make* a Bishop or *organize* an Annual Conference. The Episcopacy being in the full vigor of maturity, before the projection of the General Conference system, it did not occur to the founders and *authors of the economy* of American Methodism, that the latter would

claim paternity and jurisdiction in relation to every thing connected with the former. That this is now done, however, few will attempt to deny. We used to think, as a Church, that in Episcopacy was to be sought the constitutional headship of the government. How far below this it is now attempted to reduce it, may be judged of by the mass of evidence we submit. The Church was of opinion that from 1792 to 1808, the General Conference had too much power, and that it was necessary to restrict it by constitutional prohibitions. Now the latter claims more power than it was supposed to possess before the *reduction* of its powers, when consisting of "all the Preachers in full connection"—that is, all the Deacons and Elders in the Traveling Ministry. As parties to the constitution, the old doctrine was that each department is rigidly *subject* to the regulations of law. Now it seems to be thought, that the legislative department cannot act unlawfully, as it can in "two minutes," supply itself with law in any emergency. The very existence of the restrictive rules, proves clearly, that the former doctrine was, that should the General Conference obviously violate the constitution, it is the right and the duty of the Episcopacy and Annual Conferences, to interpose and resist. It is now the doctrine, however, that the General Conference is the only judge of the constitutionality of its own acts. The old theory, which impresses itself upon the very face of the constitution, laws, and administration of the Church, that the executive power of the government belongs essentially to the Episcopacy and Annual Conferences, is superceded by the assumption of general executive power in behalf of the General Conference. Our fathers, as we have shown, knew no better than that the Episcopacy and Annual Conferences derived their rights and powers from the constitution, and had all they now possess, substantially, beside much they have parted with by concession, before they thought of creating a General Conference. Their sons, it seems, are to be better taught, and all right and power of whatever kind, is to be credited to the General Conference. The whole Church has always regarded Annual Conferences as independent organic bodies, subject only to General Conference control *as law directs*. The new theory annihilates this independence entirely, by assuming that the absolute right of control in relation to these bodies, is in the General Conference, and that they exist only by its permission. Instead of which, nothing is plainer, than that the General Conference is by direct provision of the constitution, under the control of the Annual Conferences, in the last resort, and it will be seen by every one how intimately Episcopal oversight and its executive rights and powers, are interwoven with the Annual Conference system. Thus presenting the checks and balances to which we have adverted. Until recently, it seemed to be well understood, that as the Church, or rather the Episcopacy and Annual Conferences, were of mature age and possessed the whole official authority of the Church, before they organized the General Conference, and as they conceded none of their fundamental powers to that body, the General Conference could have no claim to disturb them in the functional exercise of their powers and rights. In this, however, modern enlightenment shows them to have been mistaken. It has always been well understood, that limited legislative and judicial power, as well as some of the powers of general administration, had been invested in the General Conference by the organic regulations giving it existence. It has always been admitted too, that in matters not vitally affecting the independant functions of the Episcopacy and Annual Conferences, that is, in things incidental and modal in relation to legislative, judicial, and administrative rights, as invested by law, it is competent for the General Conference to give and take away, and it has occasionally done both. But this view of *the subject* differs materially from the one which allows the Conference to regard its *own will, at any time*, as the only law of action in the case. The Church, for more than

half a century, has published to the world, that its Episcopacy was derived from Wesley—that his rights and powers of ordination and superintendence were transferred to Coke and Asbury, Bishops of his own selection and constitution, he having consecrated the former and commissioned him to consecrate the latter, without any the most remote allusion to any organic action by the American Preachers, in the institution of Episcopacy. The Church having likewise published to all during this whole period, that the only act of the lay Preachers of the day, was to "receive" the Bishops of Wesley's appointment, as the superintendents of the new Church; thus proclaiming the institution of Episcopacy to be the first creative act of the new organization. In view of these facts, it must strike all as strange and unaccountable, how Episcopacy has become a *derivative* power in relation to the General Conference. Would Dr. Coke have presumed or dared to ordain Mr. Asbury upon his election by the lay Preachers of 1784, without authority from Wesley? Would Asbury have presumed or dared to accept ordination upon such a basis? The answer is negative in both cases. All know that neither would have presumed so to act. And yet the now popular argument for General Conference right, respecting Episcopacy, relies mainly upon this election for its support. Failing to prove this election valid, as inevitably they must, it is irresistably certain that the General Conference has no claim of superiority over Episcopacy on the ground of what is so often called "election by the Presbyters." And as Episcopacy existed in full and effective force, valid and ample as now, without deriving a particle of right or power from the "College of Presbyters" as Coke and Asbury say of the Eldership, after *they had created* it, under authority from Wesley, it shows most conclusively that General Conference election can confer nothing in any way essential to the Episcopal office. The ordination service (itself a part of the constitution) is evidence of the plainest kind, that no Episcopal right is conferred by by mere election. The ordination certificate attests the same fact. The design of election, which is both proper and important, is confined to the *suitableness* and *qualifications* of the incumbent. We have shown that it is in no sense an *investiture*. It merely authorizes his elevation to the Episcopate by ordination. Both the power and form of ordination pre-date and are independent of our *present* Presbyterial election, and beyond General Conference control. Against this, it proves nothing to say, no Bishop can be made without the consent of the General Conference. This is admitted, and we are as ready as our opponents to admit the fitness and importance of the arrangement. It secures the important result that Bishops are not allowed to select their associates, and that none can be ordained except approved by a majority (we wish it were a two-thirds majority) of the General Conference. Still it proves nothing against our argument for reasons before given. Suppose we say the General Conference and Episcopacy together, cannot make a man a Bishop without *his* consent? Does this make the will of the man in any way constitutive of the office? Test the matter in another form; ceasing to ordain, would not our constitutional Episcopacy perish, despite a thousand elections? We have seen the Episcopacy and General Conference existing in constitutional connection, as independent departments, except so far as this independence is qualified by the terms of union. They exist and act together, the one the Head the other the Body. Each has separate duties with which the other may not interfere, so that essentially they are co-ordinate branches of the government, although essentially, they exist and operate in a state of mutual inter-dependence, as do all co-ordinate branches of the government. Each constitutes a distinct organism, and has a separate anatomy, a system of its own.

The power of each is derived from the constitution, the nature of the general system. The distribution of power is regulated by organic law. If the Bishops offend, there is the law to correct and punish them. The General Conference cannot, with all its latitude of power and right in other respects, exceed the restrictions imposed upon it, by the departments which gave it being, without a *breach of trust* as well as *violation of right*, and the remedy must be found in the counteractive forces of the system. The Episcopacy has powers not derived from the General or Annual Conferences. The General Conference has nothing but what it derived from the Annual Conferences and Episcopacy. This is not introduced to prove Episcopacy above the General Conference, (no part of our reasoning implies this) but merely to show that the General Conference is not every thing, and possessed of all power, as lately claimed by the opponents in this argument. Were the Episcopacy and Annual Conferences acting together, disposed to usurp power, as we believe the General Conference has lately done, the latter with its entire power, might be overthrown in a short time. By direction of the power creating it, and without the permission of the Annual Conferences and Episcopacy, it can only meet once in four years. It cannot call itself together or meet at will, and should the executive department, embracing the Episcopacy and Annual Conferences, refuse to execute its wishes, the government would be at an end; and this further proves the inter-dependence of the departments, and that the supremacy of the General Conference, to the extent contended for, is a mere fiction, and always must remain one, under the present constitution. We prove that the Episcopacy is strictly and properly a co-ordinate branch of the government, by showing that all the other branches, much less the General Conference alone, have no right or power to do it away, except by a change of the constitution. Each department, although connexional as to the rest, is separate and independent, that is, protected against the invasions of the other branches by the constitution. The whole of section 4th, in the Discipline, is strictly *organic law* and has all the force of any part of the constitution, or else the General Conference has *no power* with regard to Episcopacy of any kind, except as *usurped* by gratuitous interference. The grant of power to "make rules and regulations" *for the Church*, excepts in every thing important, both Episcopacy and its plan of oversight. For this there existed the plainest and most irresistible reason. Not only had the General Conference done nothing toward the institution of Episcopacy, but even the Church had not. Its existence dates back before the birth of either. It was the first grand substantive arrangement, around which all others subsequently clustered and assumed organic form. The whole machinery of Church administration received life and motion from it. The primary action and continued impulse of the whole system are traceable to it, and as the government has always been organized, would become defunct without it. We are compelled to think the view of the subject we propose is the only one which can possibly relieve the Church from the charge of having a most illiberal and tyrannical government, so far as its theory is concerned, whatever may be the character of its practical administration. We present, in our attempt to exhibit the government as we find it, a nearly equal distribution of its powers between the Episcopacy, Annual Conferences, and the General Conference, the General Pastorate being essentially adjunctive to the two former, although for convenience, and in view of some purposes and functions peculiar to it, generally recognized as a separate department. And among many other inferences of the utmost importance, we thus reach the principal one had in view in the course of our reasoning, that a Bishop of the Methodist Episcopal Church is not in the power of the General Conference, except in its judicial capacity as a court of trial, proceeding against him

upon a charge of improper conduct, and this for the general comprehensive reason, that the *jus proprietatis* as it regards the *chief constitutional officer* of the Church, is not in the General Conference, but in the several departments of the government equally, by direction of the organic laws of the entire system. See an able and interesting argument on this subject, by the Rev. Dr. Latta, which has *yet to be answered.* We know it will be said that such a general view of the subject as we have taken, amounts to "Prelacy, Popery, Puseyism," and so of the rest. With this we have nothing to do. The charge recoils from us upon the Fathers and Founders, the Apostles and Pillars, the Defenders and Advocates of the Church, as a true Episcopal Church, unless it can be made appear that we misrepresent them. We show, we believe conclusively, that we simply adhere to constitution and law, the principles and opinions of the Church since the first day of its organization. If the system be wrong, be it so; the arguments remain unaffected. Our only task has been to show *what the system is*, and before we are abused as aiming at the projection of an Episcopal "supremacy," let our arguments *be answered*, as we have attempted to give them, in the language of reason and sobriety, and for the purposes of rational conviction. No amount of declamation and assertion, unsupported by argument and evidence, no tempest of personal abuse, no attempt at sneer and banter, can move or affect us. We must be overthrown on the ground of argument, or remain unvanquished. This is no boast. We mean simply, that on the subjects upon which we have written, we have offered an extended series of arguments which strike us as satisfactory and conclusive, and before any man or number of men can obtain any advantage of us, it must be shown demonstratively, that the [illegible] arguments in question, *ought not to have impressed us as they have.*

Left to the undisturbed current of my own thoughts and feelings, I should not have taken it for granted that this Review was destined to attract, in any unusual way, the attention of those arrayed against me, in the conflict to which it relates, but already assaulted *in advance* with *Vandal injustice and want of truth*, I have been led to suppose, from a pre-judgment so every way gratuitous and illiberal, that the unmanly malevolence that could not wait to know whether it was uttering truth or falsehood, might probably give me a notoriety upon which I should otherwise not have calculated. I shall await and note results with care and patience, until it may become necessary to attend to them.

A few items, more or less personal to myself, and yet intimately connected with some of the bearings of this discussion, and I have done. I wish to say first and distinctly, I have not written, dictated, or suggested a single line on the merits of the controversy, or any particular part of it, or in relation to any person or persons connected with it, to which I have not attached my name. The various charges, therefore, suggestions and insinuations, which have appeared in Northern papers, intended to implicate me in this respect, are at least as utterly unjust as the fact that they are *false* can make them. From what motives I have been thus assailed, without having by any act, or any part of my conduct, furnished any reason or course, or semblance of either, for the assaults made upon me, it will not perhaps, be difficult to determine. The men in the principal instances, are a sufficient comment upon the motives, and accordingly I have received numerous communications from Northern as well as Southern sources, assuring me these attacks are well understood and properly appreciated, as having their origin in personal malignity and party purposes.

I first heard of Bishop Andrew's connection with slavery and the appeal of Harding, in Baltimore, on my way to General Conference, in April last. I did not take

my seat in that body until the sixth day of the session. By this time the parties North and South were pretty well defined. The two or three first meetings of the Southern Delegations after my arrival, I did not attend. I was anxious to learn the true position and purposes of the parties. I was soon induced to believe, not only that the cases of Harding and Bishop Andrew would bring on a conflict between the North and South, but that new ground would be taken by the North, on the main question, whenever *these cases* became the occasion of discussion and action. I early sought to learn the opinions and views of men, likely to exert no little influence with what had usually been known as the "conservative" party, and was surprised to learn, that they were decided and active in the approval and furtherance of a course, which I was satisfied the South could not submit to. Circumstances compelled me to believe, that the old compromise ground of the Church, on the subject of slavery, had been or was about to be abandoned. A large number of Conferences, and thousands of individual petitioners North, had addressed the General Conference, remonstrating in effect, *against the provisions*, and demanding changes *infringing the purposes of law*. Under these circumstances and such an aspect of things, I met the Southern Delegates, and, availed myself of an opportunity to say to them, in substance, that I had come to the painful conclusion that it was the settled purpose and policy of the old Anti-Slavery Conservative party, to take ground with the Abolitionists against the South, by declining any longer to assert and maintain the compromise law of slavery, as generally understood by the South, and especially as explained by the preceding General Conference. That so far as I had been able to understand them, they were [illegible] *the compromise* of the Discipline, and likely to form [illegible], injurious if not fatal to Southern Methodism. That it would [illegible] for the South to be watchful and firm as a Minority, or they would find themselves in a position fearfully detrimental to the interests of the Church in all the Southern Conferences. I then stated, that in view of the petitions before the Conference, a large portion of which were new and peculiar in their character, and other evidence not less convincing, to which my attention had been directed, it was my opinion that a plan existed, more or less matured, the object of which was *the subversion of the slavery compromise*, and the effect of which would be, if carried out, to reduce the South to the necessity of adopting one of three courses. 1st. That they must submit to the outrage regardless of Southern rights and interests; or 2d, appeal to the only constitutional means in their power, assert those rights and interests by remaining firmly upon the basis of the Discipline, and claiming the protection of law; or 3d, must go or be forced off as a secession, without any interest in the Book Concern or other funds or property of the Church. After these remarks, I requested to know of all present, publicly and explicitly, whether it was their purpose to abide by the Discipline as it was on the subject of slavery, and all without a single dissentient having so pledged themselves, I assured them I should be most glad to find myself mistaken as to the fears and conviction I had expressed, in reference to the plan or purpose to which I had alluded.

I carefully avoided any allusion which might in any way implicate members of the General Conference beyond the mere fact, that I was obliged to think many of them were pursuing a course directly calculated, whatever their motives and purposes might be, to bring about the result I feared. And in proof and illustration of this, having made the remark with regard to many, I stated that *one* who had been long looked to and regarded as especially the friend and champion of the South, had avowed opinions and urged a course of action in relation to both Harding and Bishop Andrew, which *would further the* objects of the plan or purpose I had brought to their notice, as effec-

tually as though he were the Cataline of the conspiracy. It was my intention to say distinctly, that I believed the purpose existed North to disturb and destroy the compromise of the Discipline, as discussed in these pages, and that the position of Dr. Bond, as reported to me in relation to the cases of Harding and Bishop Andrew, would contribute directly to the accomplishment of the object. I had heard from several *different sources*, that Dr. Bond had said that the action of the Baltimore Conference in Harding's case, must, and doubtless would be sustained by the General Conference; that Bishop Andrew had not kept faith, or had acted in bad faith in relation to those who had elected him; they selecting him because he was not a slaveholder, and he afterwards becoming one, and yet holding office; that he was a dishonored man or had acted dishonorably; that he must resign or be deposed, as nothing else would prevent Northern Conferences from secession, and meet the demands of Northern public opinion; that the General Conference had full power to depose or lay aside Bishop Andrew; and that it might be done by merely striking his name from the Minutes and Church Records; that for such a course, the Conference had precedent in the instances of Wesley and Coke, or at least one of them; and that this or something equivalent must be done, whether the South would submit to it or not. These statements, which I give in substance and meaning, and not perhaps in the precise language and form in which they were uttered, were reported by different persons as coming from Dr. Bond, and induced me and many others to believe, that his intended course would as directly and effectually tend to overthrow the compromise of the law of slavery, as the purpose or plan believed to exist in the North. The recent public declaration, that I stated a plan existed among Northern members of the General Conference, approved and encouraged by Dr. Bond, to drive off the South as a secession, with a view to deprive them of their equitable interest in the Book Concern and other Church property, is as false as any statement can be, because utterly devoid of truth. My reasoning upon the facts stated, and in relation to the choice of evils we should probably be called to make, did, as a matter of course, call attention to the loss of Church property, as consequent upon secession, should we be driven to it, and I accordingly invoked the South on this, as well as other accounts, not to allow themselves to be provoked to such a step. I urged it as my belief, that the law of slavery had been conspired against, and should it turn out that I had anticipated events, and understood movements correctly, nothing would be left the Minority of the South, but unconditional submission, constitutional resistance by solemn Protest, and appeal to the conservative powers of the Church, or finally, voluntary or forced secession with forfeiture of rights as before. All this I did without disguise, and still believe I was correct. The whole current of events since the hour I made the statement, goes to show that I did not greatly, if at all, miscalculate. Individuals and parties have acted and continue to act, as I anticipated. The plan or purpose to which I invoked the reluctant attention of the South, has been ever since in course of development, and the somewhat indirect but essentially auxiliary influences, to which I made allusion, are visibly increasing with the progress of this great Church difficulty. My only object in alluding to Dr. Bond as I did, was to make the impression, that whatever might have been the hopes of the South, connected with him and other leaders of the so called conservative party, that ground of safety, was, in my opinion, to be relied upon no longer. To understand my true position, in reference to the subject matter of this explanation, it is necessary to enquire, 1st, was I mistaken with regard to the facts upon which I predicated my opinion? 2d, was that opinion a fair and natural inference from the facts? Beside, the mass of evidence in various forms furnished in this Review, making it entirely certain that a purpose did exist in the North, no longer to

submit to the law of compromise, as explained at length by the General Conference of 1840, the full and proper proof is found in the uniform language of the petitions, "that the General Conference would *take measures entirely to separate slavery* from the *Church*," not the Episcopacy, not the Traveling Ministry only, but the *whole Church*. On presenting these innumerable petitions from nine Conferences and some ten thousand persons, the Northern Delegates stated, without any attempt at concealment, and with almost stereotyped uniformity, not only that the petitioners (generally) were well known to them, were respectable, and as intelligent and pious as any in other portions of the Church, but always and *especially* that they petitioned from *principle* and *conviction*, that it was matter of *conscience* and of settled purpose that they did so, and finally, that they would "never rest until they obtained what they prayed for." The same purpose has been avowed and published unequivocally and repeatedly in Zion's Herald and other papers, by large and influential portions of the Church, Ministers and people, including delegates of the last General Conference. The fact of the purpose charged in my statement, has in every thing material, been communicated to Dr. Bond, and published by him for the information of the Church and world. So far then as this item is concerned, who can doubt as to the facts? But did Dr. Bond avow the opinions and make the statements attributed to him? That he did I have never doubted. They were heard and reported not by a single individual only, but by different persons. The most, if not all of them, have been since assumed and asserted, admitted or implied, in the editorials of his paper. The entire course and temper of Dr. Bond, have been in keeping with [illegible] the internal evidence in the case, as well as that of witnesses, endorses the [illegible] information. Let the impartial reader now take the [illegible] which we prove existed North, not to abide by the slavery compromise by the South and affirmed by the General Conference, and take [illegible] of Dr. Bond as Editor, and the former friend and advocate of the South, and [illegible] would the opinions avowed by him be likely to affect the purpose in question? Would or would not the opinions and views ascribed to Dr. Bond, and known to be concurred in to a great extent, by the Conservative party generally, be directly calculated to further the Northern purpose we have noticed, to destroy the good old [illegible] media of the Church, on the subject of slavery? Was not the inference [illegible] would, both natural and necessary? If not, we are at fault. But if this [illegible] we cannot be blamed, for all will admit that the interests involved rendered it necessary that Southern attention should be called to the subject immediately. When Dr Bond saw proper to contradict a report, which he said was in circulation as coming from him, and the substance of which was that a plan had been formed by Northern members of the General Conference, to force the South into secession, &c. Dr. Smith, supposing he might allude to my remarks or statements to the Southern Delegations, as just detailed, replied, in substance, without consulting me, that the statement made by Dr. Bond had not been made to the Southern Delegates; that the two statements were essentially variant, and that it was necessary to disabuse the Conference of a wrong impression, by informing them of the true issue, affirming that "it had been stated over and over again, in terms that led to the conviction, that it was the purpose of many in the Conference to pursue measures, which must necessarily *result in a division*, and that in declaring their adhesion to these measures, they had used language which justly entitled them to a disclaimer. That course they had adopted with Bishop Andrew, and it was of *this* he and his Southern friends justly complained. This challenge, which implicated members of the General Conference beyond any statement of mine, was not met by any one. Dr. Bond said that with this position he ha

nothing to do; that is, with *my* position, fairly stated by Dr. Smith, at a time and under circumstances when the evidence in the case could have been had in a few minutes, Dr. Bond had nothing to do. Dr. Smith not only charged before the General Conference all that I had before the Southern Delegates, but went further, implicating members of the body, from all allusion to whom I had carefully abstained. Why was not the issue of Dr. Smith upon my statement met? The fact that the statement of Dr. Smith was not challenged, was, under the circumstances, a public admission of its truth. Was Dr. Bond under no obligation to attend to Dr. Smith's statement, which in fact was mine, because not in accordance with his? If not, any more could I be considered as under obligation to attend to Dr. Bond's, knowing, as I did, that I had never made any statement of the kind, and especially as Dr. Bond had not charged it upon me! Not entirely satisfied, however, with this mode of settlement, I immediately called on Dr. Bangs and Rev. Mr. Sehon, both of whom had addressed the Conference on the subject, and enquired of them, whether they had any allusion to me in their remarks, and also whether they understood Dr. Bond to have? They both promptly and explicitly assured me they had none, and that so far as they knew or believed, Dr. Bond had none. I then went to the Rev. Jno. A. Collins, the friend and guest of Dr. Bond, and enquired of him to the same effect, with respect to Dr. Bond, when with equal explicitness he assured me he did not believe he had. I then supposed it unnecessary to pay any further attention to the subject, and thought no more of it, until from motives and for purposes about which I am not disposed to speculate, it re-appeared in the columns of Dr. Bond's paper, with additional features of distortion and misrepresentation.

It was my purpose to publish *early* on this subject, after the General Conference. But numerous friends, North and South, requested me to forbear, in the hope that some action might be had by the Northern Conferences, meeting in rapid succession, which might tend to allay excitement and prepare the way for an adjustment of difficulties. I therefore determined to remain silent until after the Kentucky Conference. A serious indisposition from the 15th of September until the 1st of December, rendered me incapable of the labor of preparing for publication. Meanwhile, the subject in controversy began to assume new and more eventful aspects, in the Northern division of the Church, and I did not wish to meet the *actual party position* of the North, until it was fully and fairly taken, in action as well as argument. While, therefore, there was a prospect of additional light on the subject, I was unwilling to deprive myself of the advantage of it, by premature publication. These reasons have been satisfactory to myself, and as no one else has any rights in the premises, I may, of course, expect them to be to others.

I promised to perform the task "at my earliest leisure," and I beg to assure all concerned, that on the basis of *that* promise, I could, for *want* of "leisure," have postponed the publication to a much later period.

Part 2

BRIEF

APPEAL TO PUBLIC OPINION,

IN A SERIES OF

EXCEPTIONS

TO THE COURSE AND ACTION OF THE

METHODIST EPISCOPAL CHURCH,

FROM 1844 TO 1848,

AFFECTING THE RIGHTS AND INTERESTS

OF THE

METHODIST EPISCOPAL CHURCH, SOUTH.

BY

H. B. BASCOM, A. L. P. GREENE, C. B. PARSONS,

SOUTHERN COMMISSIONERS FOR THE SETTLEMENT OF THE PROPERTY QUESTION BETWEEN THE TWO CHURCHES.

Louisville, Ky:

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1848.

APPEAL.

THE undersigned, duly accredited as Commissioners of he Methodist Episcopal Church, South, to secure if possible an amicable adjustment of the Property question in ontroversy between the two churches as equal contracting parties, under the compact of separation adopted by he General Conference of the whole church, May, 1844, n view of its subsequent probable division; regard themselves as imperiously called upon by their official position nd the duties charged in their commission, as the Representatives of the Southern Division of the Methodist piscopal Church, explicitly and in form to *call in question, and except to the course and action of the Methodist Episcopal Church, as above indicated, together with the alleged grounds and reasons of such course and action, nd the necessary inferences involved, as essentially unust and without warrant of law or right.*

And first, in the series of Specifications to which we nvite attention, we *except* in form and most solemnly, as n injured party, to the right assumed and acted upon by he Methodist Episcopal Church, to disregard as of no uthority, and attempt to render "null and void," the ell considered, elaborate "Plan of Separation," declard to be "constitutional," and adopted nearly unaniously, by the representatives of all the annual conferences of the Methodist Episcopal Church, North and outh, in General Conference assembled in 1844—after hat the Southern Conference had become an acknowl-

edged contracting party with the consent and upon the invitation of the majority, pledging action upon a "Declaration" of necessity by the south—in maturing and consummating the "Plan" and terms of division, as afterward effected. The deed in question partook of the nature, and has all the validity of a deliberate, well-understood compact, entered into by parties with equal rights and claims, for the purpose of treating, finally and conclusively, upon the terms of "separation," as expressed by the General Conference in the title of the enactment. Interests, vital as the existence of the church, and enduring as its hopes and influence, were involved. Church relations, important as any recognized by Christianity, including those of the entire ministry and membership, from the Bishop down to the Slave and the Indian, were duly regulated by solemn and formal agreement, after some fifteen days of anxious deliberation. The transfer of church property, amounting to several millions, was duly provided for, and provisional arrangements made for the division of church funds, held in common by all, amounting to quite a million more. Claims and rights were preferred and asserted by the southern, and admitted by the northern delegates. The terms and conditions of payment and a final adjustment of all difficulties were agreed upon. The security of moral, and the transfer and use of pecuniary interests were duly provided for. Mutual values and considerations were exchanged, and the claims and concessions ratified and secured to the parties by formal legislative enactment, in the deed or Plan of Separation. These and kindred conventional arrangements were entered into, and the question of the fitness and necessity of actual final separation was left *by contract* to the Southern Conferences *exclusively*.

The sole right to determine on separation, without the after cognizance of any other tribunal, rested with the south, by express agreement. The necessity of separation was duly adjusted by those to whom the exclusive right of judgment had been expressly conceded, and the division of the Methodist Episcopal Church into two separate jurisdictions, North and South, took place accordingly, in strict conformity, both in form and substance, with the authorization of the General Conference. The only part of the Plan of Separation that depended in any way upon any other action of the church, related to the division of its vested funds in the Book Concern and Chartered Fund, and the alleged refusal of the annual conferences, North, to let us have our share of these funds, can have no effect upon the validity of the general plan, as is distinctly shown by the instrument itself. The division of funds was a *consequence* not a *condition* of separation. The grant to separate and become an independent church carries with it and necessarily implies the *right* to divide the common funds and property. The gross injustice therefore of holding on to what does not belong to them, and to which they have no moral, and, since the contract, no legal right in the common judgment of the country, cannot, in any form, without the most direct unfairness, be pleaded in warrant of the still greater outrage of infidelity to the terms and conditions of the contract *expressly excepted* from the interference of the annual conferences. An attempt, therefore, such as we have witnessed in various forms, open and, it seems to us, reckless, without hesitation or scruple, under all these circumstances, and in violation of such an array of obligation, express and implied, strikes us as utterly inconsistent with the honor and good faith pledged to us and

the world, in the Plan of Separation. This plan, by common consent of the parties, at the time of its adoption, created new rights and claims and corresponding expectations, on the part of the south—rights, claims, and expectations never before in existence, and that cannot now be recalled or disturbed, without the consent of the conferences to which as a contracting party they were conceded, *upon a formal setting forth of rights and grievances* in their Declaration and Protest. Territory was alienated, and independent rights and immunities guaranteed to the separating portion of the original church, placing it, by fair construction of law and equity, out of the power of any subsequent General Conference to disturb the settlement. Such acts of grant and transfer can only be annulled by an authority essentially similar to that giving them force; but, in view of the territorial separation and proper independence secured to the Church, South, by the acts in question, *no such authority is now in existence*, and any attempt to exercise it must be regarded as an arrogant, gratuitous assumption, unwarranted by right or reason. For example, the Plan of Separation clearly and unequivocally invests the Church, South, with all the rights and immunities of independent self-government, and with what show or semblance of reason, justice, or right, can a subsequent Northern General Conference attempt to re-consider and re-adjust such an arrangement? After alienating the territorial jurisdiction of the South by direct formal action in 1844, can the Northern General Conference of 1848, with but half the powers and rights of its predecessor in making the grant, now attempt to annul it, without an abuse of right, calling for the most determined resistance by the injured party? By what process have these alienated rights and powers

been reclaimed? What feasible ground of reclamation can be shown? What plea can be urged in abatement even of the unfairness and audacity of such a pretension? The very idea offers insult to the intelligence and virtue of the country. In the Plan of Separation, all idea of recovery or reclamation is explicitly terminated, or rather excluded, by express stipulation for a "distinct ecclesiastical establishment in the south;" and even the claim of right to re-subject the south to its former church relations, or otherwise disturb or unsettle its jurisdictional rights and interests, is too obviously unjust and out of place, to be regarded as other than preposterous. Apart, however, from the conclusive action of the General Conference of 1844, the entire episcopacy—all the bishops of the church, north as well as south—united in admitting the authority and giving effect to the Plan of Separation, in strict accordance with its terms and conditions. Their administration, by official avowal, was made to conform to it, and by how far it depended upon them, they declared their purpose to give it force and effectuation. They directed the method of adherence upon the border, north and south. They presided in southern conferences when the first action was had preparatory to calling a convention and establishing the Southern Church. The necessary preambles and resolutions on the subject of separation were adopted, and the delegates to the Convention were elected, in their eye and under their immediate presidency. These and kindred acts of annual conferences received their signature and sanction, because merely carrying out the Plan of Separation in good faith. It is not alleged that Bishop Soule or Andrew had withdrawn from the church until after the action of all the annual conferences in the

premises. Bishops Morris and Janes, who presided at about one half of the southern conferences where such action was had, continue to be good northern bishops, and the late General Conference has endorsed their administration as correct, and of course *valid.* And after all this does the General Conference of 1848 claim the right to declare the executive episcopal administration in all these respects "null and void," although in strict conformity with the provisional enactments of a General Conference superior in numbers, rights, and powers, to the subsequent one absurdly claiming the right of nullification? If this be so, and the result, it seems to us, is inevitable upon the destruction of the Plan of Separation, then it follows that this potent Abolition body, in their phrenzied attempts to destroy the Plan of Separation, have *abolished* their own government, and are found in a state of aimless revolution, and their bishops will perhaps begin to see what is meant by the declaration of one of their number, that bishops, in a sense fearfully derivative, are but "the creatures of the General Conference"—the mere victims of its ever-shifting caprice and expediency. In this reasoning, we occupy well defined historic ground. Our argument will be found rigidly based upon the Plan of Separation, an attested copy of which accompanies, and is made a part of this Appeal. We shall keep our censors "to the *law* and the *testimony.*" This is the only arbitrement we intend to abide. And in fixing attention upon it, we urge further, that having, with all the formalities and sanctions usual in such cases, authorized the movement and deed of separation, with all attendant rights, expectations, and reversions, should the original right to do so be even doubted now, any attempt to annul and render void the action and assurances upon which

the South relied, must be looked upon as an act of sheer injustice, if not dishonor, because utterly irreconcilable with what they themselves induced us to believe we were in good faith receiving at their hands. What truth or reliability can be claimed for the pledges or assurances of a body or party, capable of the conduct we find it necessary thus to *except* to? How did they persuade themselves that the collective, concurrent assent and action of all the annual conferences in General Conference assembled could, in the matter of a plain agreement—a simple contract—creating new permanent interests and relations on the part of the South, be revoked by the separate *exparte* action of a part only! Can such conduct fail to react upon those resorting to it? All this is to us, and must be to the world, the more astounding, as the Plan of Separation is not merely an ecclesiastical arrangement or convention—a compact of settlement and separation between two great church parties, unable longer to agree and live together in peace—but it is in many respects a *civil* contract, for it not only originated in the civil relations of the parties, but involves large property rights, rendering it the more unaccountable how men of sense and honor could even attempt to retreat from such obligations. The Plan gives us full chartered rights as a church. We are told to go, with rights, powers, privileges, and property, and when we have gone, four years after, we are told all is recalled! We may be mistaken, but it does appear to us, that by how far enlightened public discernment may be brought to bear upon such absurdities, the conduct in question must attract the rebuke, if not contempt of public opinion. Had the facts in the case been fully and fairly presented to the public without false statements and false issues, we should not have

deemed it necessary to appeal to public opinion, but the true issue and the merits of the case have been so disingenuously disfigured and distorted—the attempt to withhold correct iuformation and suppress the truth has been so staid, so deliberately cool and impudent—it has become indispensable we should speak with a plainness and severity which under other circumstances we should have felt to be improper. Let the reader of this *Bill of Exceptions* turn to the language and acts of the late General Conference alone, and he will be compelled, despite any force of adverse predilection he may have brought to the examination of the subject, to perceive that, in this brief vindication of the South, we have introduced nothing not suggested and warranted by the attacks we repel. Our position is that of defence. We are compelled to repel invasion and assault, or be overthrown and trodden upon by the assailants. And believing ourselves in the right, satisfied perfectly that we occupy high moral vantage ground both as christians and citizens, and entirely conscious, meanwhile, of being fully able to vindicate our own integrity and rights, and show the wrong of the adverse party, we address ourselves to the task, with the single misgiving, that the truth may be too humiliating to be told, under any amount or kind of provocation. We are known to the public, and we ask the public to hold us to a strict accountability. It has been our aim to state nothing but what we can prove, whether in the shape of facts or inferences, and the intelligent reader will perceive, in part at least, at every step as he proceeds, the character and weight of the evidence upon which we rely. Fulness of detail has been impossible, but we furnish such facts as clearly to show we have no occasion to resort to declamation and abuse. If

we state our case and plead our cause in plain and strong language, let it be borne in mind, it is no ordinary emergency we are called to meet. And we have expressed ourselves with the point and directness, necessary to a clear, manly, and conclusive defence against the imputations of our enemies.

SECOND.—*The assumption that the General Conference of* 1844 *had no right or power to adopt the Plan of Separation, or authorize, as it did, the "Southern Organization," and that the power implied did not exist in the church itself, is another item to which we would call attention, and to the doctrine of which we* EXCEPT *as absurd and fallacious both in principle and application.* The Methodist Episcopal Church, as an organized body, is but an association of individuals, voluntarily united for specific purposes. Both its institution and maintainance depend upon voluntary association, as the principle and condition of existence. It is a self-instituted body, and, of right and necessity, a self-regulated body. The power of self-control co-exists with its very nature, and belongs specifically to its structure, at every period of existence. It has the same right and power to change its name, its form, or its organization, that it originally had to select and adjust them. The right and power in question are essentially incident to the very being of the body, and are at once inherent and inextinguishable. The power of change and modification is inalienably incidental to the association, and can be exerted at any time. The claim of immutability—invincible sameness of structure and action—will of course not be set up, because too absurd to be thought of, and if not, where do the necessary right and power of change belong, if not to

the body itself, as subject to no superior will or extrinsic control? Such being the undoubted right of the body as a church organization, the question arises to what extent the General Conference has a right, and especially under circumstances of great and unexpected emergency, to act for the church, in the matter of so dividing its own general jurisdiction, as to create of the one two separate, independent jurisdictions, with similar rights, powers, and privileges. The law or constitution of the church expressly invests the General Conference with "*full* powers to make *all* rules and regulations" deemed necessary for the good of the church, with only six restrictions, *imposed by the same* power or body that enacted the law. But two of these can possibly be supposed to apply to the question at issue, and it has been so often and irrefutably shown that the attempted application of these cannot be sustained, that it is deemed unnecessary to resort to elaborate argument, A very summary statement will show how this argument may be brought to bear. "The Plan of Itinerant General Superintendency," in the Methodist Episcopal Church, South, is precisely, and in every respect and particular, what it has been in the government of the church since 1808; and the fact of no change at all, in form or substance, and no probability of any, of whatever kind, ought certainly to satisfy the most exacting scrupulosity. The superintendency in question is but "general," opposed to local or diocesan, and not universal, north or south. The system is not affected by the Plan of Separation. It remains as it was in every thing material. As it regards the north, it is withdrawn from the south; just as twenty years ago it was withdrawn from Canada. The logic which makes the "Plan" destroy it, shews most conclusively that it was

destroyed in 1828, when the Canada Conference was "set off," as an independent church. Besides, in the sense of a universal superintendency, as understood of each member of the bench of bishops, the church has had no such superintendency for the last thirty-five years. The whole argument, therefore, as urged by our opponents, is without support either from the language of the restriction, or the facts in the case, and is plainly fallacious and inapplicable, both in law and reason.

And, secondly, the Plan of Separation does not directly or indirectly, in whole or in part, do away with the privileges of ministers, preachers, or members, as it regards "Trial by committee and of Appeal." We have the same law, without the variation of a word, the same tribunals, and the same means and methods of administration, to secure the plan of itinerant general superintendency, and the rights of ministers and members by trial and appeal, that is found in the other division of the church, or that existed in the undivided body before separation, and consequently the restrictions urged cannot, with any show of reason or pertinence, be pleaded in bar to the clear and undoubted right of the General Conference of 1844 to adopt and authorize the effectuation of the Plan of Separation. No law of the church, in the shape either of statute or precedent, interposed any barrier to the action of that body, in authorizing the establishment of a "separate ecclesiastical connection in the slaveholding states." And it is further true, that the specific power in question, in the whole extent of its implication, had been exercised by the General Conference on former occasions, without consulting the annual conferences in any form. Not to insist, although forcibly pertinent, upon the great organic change which took place in the composition of

the General Conference in 1808, by its own sole action, without even the more essential forms of conventional arrangement and ratification, except to a very limited extent, and only by a small minority of the parties interested—involving the exercise of the same power with that exercised by the General Conference of 1844, in relation to the division of its territorial jurisdiction—not to insist upon this example, the point and pertinence of which must be felt by every one—we ask attention to examples and precedents, in which the analogy is complete, both in form and purpose. In 1820 the General Conference took all the necessary steps, without the consent of the annual conferences, or the ministers and members transferred, to *alienate* utterly and forever the entire territory of Lower Canada, from under the jurisdiction of the Methodist Episcopal Church, and it was accordingly transferred, with all the resident local ministers and members in the province, to the British Wesleyan Connection. This act incontestably involves precisely the *same* and *all* the power exercised by the General Conference in 1844 in the alienation of territory and the transfer of ministers and members to the Southern organization, by the adoption of the Plan of Separation. If the latter act be invalid, the former must be so too; the one must be as "null and void" as the other.

To demonstrate, however, beyond cavil, that the power under notice has been fully and unequivocally exercised by the General Conference, without the concurrence of the annual conferences, it is only necessary to recall the historical fact, admitting of no evasion or denial, that the Canada Annual Conference of the Methodist Episcopal Church was, by the General Conference of 1828, authorized in the most solemn and explicit terms to assume

independence as a separate church, and the General Conference itself cut the tie of connection by which it was bound to the Methodist Episcopal Church, in the following memorable resolution:—"Resolved that the *compact* now existing between the Canada Annual Conference and the Methodist Episcopal Church in the United States *be* and *hereby is dissolved*, by mutual consent."—Here, then, we have the direct formal assumption and exercise of right and power by the General Conference, without the consent of the annual conferences, *to divide in absolute form* the Methodist Episcopal Church. No language under heaven could prove more directly or irresistibly, that the General Conference of the Methodist Episcopal Church has *assumed* and *exercised* the right of dividing the church, so as to alienate jurisdiction and territory with all their appropriate adjuncts, and thus directly remove, without their consent, ministers and members from under the control of the Methodist Episcopal Church, with a view to their becoming an independent church establishment. The evidence is full and conclusive, and no room is left for the evasions of sophistry, or the hardihood of denial, such as figure so imposingly in the debates, preambles, and resolutions of the late General Conference at Pittsburgh. This last precedent is full and pertinent, in every point and aspect, and we thus have the warrant not merely of the law of the church, but of grave established precedents, sustaining as legitimate and "constitutional" the action of the General Conference of 1844. Nor is this all. The General Conference of 1828 divided the fund or property of the Book Concern with the Canada Conference, *set off* as above, by ordering the New York Conference (where the Book Concern was located) to pay the Canada

Conference the sum of $10,000 in cash or its equivalent, besides valuable pecuniary advantages, equal to cash, connected with the supply of books, they stipulated for, as an independent church. Here, then, is the full authority of previous General Conference action, not only for dividing the church, but for dividing the funds also, without annual conference concurrence. And the question will be asked, and must be answered, why not deal with the south in the same way? Why trifle with the former reputation of the church, by pronouncing such action weak and wicked, unwarranted and even sacrilegious, as was done at the recent session of the same body in Pittsburgh? Sensibly was it remarked by Dr. Ryerson, a delegate from this same Canada church to the late General Conference, that *in principle* he was unable to perceive any difference in the two cases. And this, we doubt not, is really the opinion of all who understand the facts. In the Canada case, the action is avowed, in view of a "separate church establishment," and in that of the south in 1844, "a distinct ecclesiastical connexion," to which all bishops and ministers of every grade are allowed, in the language of the instrument itself, to "attach themselves without blame," and without reference to border relations, or let or hindrance of any kind.

If then, as now distinctly declared, the General Conference has no such power, as that incontestably exercised in the instances given at length, and such declaration should prove any thing more than a mere denunciatory averment—that is, should it be carried into practical effect, it will result in the overthrow of the General Conference itself, as an organ of final control—the reclamation of the territory, ministers and members in Lower Canada transferred to the British Conference—the resto-

ration of the Canada Conference to the jurisdiction of the Methodist Episcopal Church, together with the re-subjection of the Methodist Episcopal Church, South, to the same capricious, ever-changing sovereignty! This absurd and and faithless action, by the late Northern General Conference, should certainly have been had before Drs. Dixon, Richey, Ryerson, and Green left the scene of events, in which they had a deep and common interest with the south. The formal official declaration, such by every fair construction of the language employed, made in the absence of these delegates, that the action of the General Conference of 1820 in the case of Lower Canada, and that of 1828 in the case of the Canada Annual Conference, were had without right or power in the premises, and must, therefore, render the action in either case "null and void," may, if it be the purpose of the church to act upon its own avowed principles and policy in this respect, affect important church interests and relations. We call attention to the following declaratory act of the northern General Conference of 1848. "There exists no power in the General Conference of the Methodist Episcopal Church, to pass an act which either directly or indirectly effectuates, or authorizes, or sanctions a division of said church." This is sufficiently unambiguous, and it directly concerns the British Wesleyan connexion,—the Wesleyan Methodist Church of Canada, and the Methodist Episcopal Church, South,—for it is as true, as the foregoing declaration is strong and preposterous, that the General Conferences of 1820, 1828, and 1844, did "pass" acts dividing the Methodist Episcopal Church three several times, and which acts "effectuated, authorized, and sanctioned" such divisions, so that the whole body of Methodists in the province of Lower

Canada, and those within the limits of the former Canada Annual Conference, and all within the territory of the Methodist Episcopal Church, South, have, by means of such acts, been placed beyond the control of the Methodist Episcopal Church, as truly and effectually as though they had never belonged to the church. Now, however, we are told, that all these acts were without right or authority—were debarred by the constitution, and must of necessity be "null and void," for the sage declaration under notice informs us that, as the General Conference cannot pass an act to "effectuate" or "authorize," so it cannot pass one to "sanction" division, and it follows, of course, that the Wesleyan Canadian Methodists, belonging to the British and Canadian churches, and those of the Methodist Episcopal Church, South, are without remedy. No act of legitimacy—no removal of the ban resulting from their own abuse of prerogative, want of sense or virtue, or both—on the part of the General Conferences of 1820, 1828, and 1844—can ever be expected at the hands of the more enlightened General Conference now having charge of their mismanaged interests! The credulous good nature and blundering diplomacy of McKendre, Emory, and others, who negotiated the divisions of 1820 and 1828, and the sad incompetency of the majority and minority leaders, in the eventful struggle and division of 1844, cease to command respect, and give place to the rarer lights of legislation and morals—Finley, Cartwright, Curry, Walker, Tomlinson,—*et id omne genus*—distinguishing the more recent history of Northern Methodism. Again, has not the General Conference, without the annual conferences, the right of receiving or rejecting, on application, other churches or portions of them, ministers and people, as proposed inte-

gral parts of the Methodist Episcopal Church? Has not this power been exercised in numerous forms and instances, and if so, is it not equally an incidental, unquestionable power of the General Conference, as the supreme organ of action in behalf of the whole church, to divide and transfer its jurisdiction, and so part with a portion of its original rule and sovereignty, and especially when the common good may call for such division and transfer, and the arrangement does not contravene, as we have seen it need not, the great moral elements or essential unity of Methodism, as a system of religious faith and practice? Is, there any power or right implied in the latter, not clearly and undoubtedly exercised in the former, and if not, how must this view of the subject add to the absurdity of the claim against which we are reasoning? In the famous reply to the protest of the southern delegates in 1844, and which the majority made their own by making it *a part of their journal*, the General Conference gravely assumes the position, that they "have *all powers* except such as are *expressly* taken away," and as it is notorious to all, that the power to divide the general jurisdiction of the church is not taken away, either expressly or by fair implication, the above declaration "expressly" affirms the power of the General Conference to divide the church, in the only sense in which we contend it has been divided—that is, one general jurisdiction was divided into two, north and south. Bishop Hamline affirms,—and his opinions have received the highest sanction of the church north, in his election to the Episcopacy, soon after making the speech from which we quote, —Bishop H. affirms that the General Conference "is endowed with dominion, and made *imperial*." He adds, "it is *supreme*—its supremacy is *universal*—it has legis-

lative, judicial, and executive *supremacy*." And yet the very men who endorsed this vaunting assumption in 1844, tell us in 1848, that no such powers are possessed by the General Conference, and that it is an extravagance of pretension, calling for legislative rebuke!

Let this question be thrown back upon the original ground on which it came up in 1844, connected with the fearful difficulties of the occasion, and finding it necessary for the common good, did not the right of self-protection give the right of the division provided for? What beside peaceable separation could have saved the church from being violently torn to pieces? We maintain the General Conference had fair and full grant of power to do as it did, under the circumstances. We have seen that the very definition of a church shows the utter absurdity of the supposition that the right of division does not belong to a church, when its proper tribunals of judgment, and constitutional organs of action, adjudge it necessary, in order the better to accomplish the purposes of its institution. The thirteenth article of the creed of the church says, "the visible church of Christ is a congregation of faithful men, in which the pure word of God is preached, and the sacraments duly administered, according to Christ's ordinance;" and may not such company or congregation divide, and exist and operate under different jurisdictions and distinct ecclesiastical arrangements, and yet secure the ends predicated of the organization? The twenty-second article says, "every particular church, (that is, christian denomination,) may ordain, change, or abolish rites and ceremonies," and, of course, "rules and regulations" connected with the external machinery of government. Was this warrant transcended by the General Conference of 1844, in adopting the

Plan of Separation? The suffrage of all history is in favor of our argument. Every church that has ever existed as a general collective body, has divided in point of fact, either by mutual consent or under the force of emergent circumstances. The assumption we oppose is contradicted by all history, and is overthrown by all precedent, as well as by all just conceptions of the nature of a church. The system of church government—the organism of its collective action—is but the expression and form of thought and feeling, as the true subjective elements of christian piety, and no idea of unchangeableness as to form can attach to it, without trifling with reason and common sense. The right of a church to declare existence under a *single* jurisdiction carries with it, by inevitable implication, the right of doing so under *two* or more—the latter follows irresistibly from the former. Conception and belief of the one involve the other so conclusively that no room is left for doubt, and the only question about it must relate—can only apply—to the mode and means of action. What power originally declared a single general, jurisdiction, in the instance of the Methodist Episcopal Church? The Preachers, and but a portion of them, meeting on brief notice as a General Conference, and themselves assuming the power. All the traveling ministry then had a right, by common consent, to a seat in the body. Subsequently the same power changed the composition of the body, excluding some, and admitting others upon specified conditions. The whole investment of power was in themselves. It was not shared with others. They, bishops and preachers, constituted *the government*, in the last resort. Such being the facts in the case, can any one doubt the right to divide, or transfer a portion of its jurisdiction? So

far as there was any right in the first case, it must attach in the second. Methodist church polity, as such, is a simple organization, originating in the wisdom and foresight of Wesley and his followers, for the effective diffusion of christianity, to be adapted in its external relations from time to time, and in every country, to the wants and exigencies of time and place. It is an avowed part of its mission always and everywhere to consult the tendencies of the age, and the character, claims, and relations of the people. Its organic structure, as a system of effort and achievement, has been variously modified, changed, and re-adjusted, to meet unexpected developments and emergencies, both in Europe and America—in Wesley's time, and since. Viewed as an external mechanism, no one pretends that it is of divine origin, and to assume a mystic, intangible oneness—an indivisible aggregation and catholic unity of parts—precluding a division of numbers, territory, or jurisdiction, such as is claimed by Popery and the popish High-Churchism of the Oxford Tractarians, is so essentially absurd and ridiculous, that to name it is to dismiss it as unworthy of notice. Such an assumption would be at once to challenge and verify the assaults and imputations of both Lavington and Southey. The system of government and action adopted by Wesley and all true Wesleyans is intended to give living and permanent form to the zeal and earnestness properly belonging to christian principle and christian profession, and not so to generalize abstract dogmas, and systematize the experience and feelings of the many, as to render the character of the *collective* body entirely independent of that of the individual members composing it. This fundamental error constitutes the capital blunder and withering curse of Popery and High

Churchism, and is utterly subversive of the true *eclectic* character of Methodism. The moment we assume that the church, as a visible voluntary organization, has no right to separate into different departments of jurisdiction and action, we assume its structure to be of divine origin, and overthrow at once a great foundation principle, not of Methodism only, but of the Protestant faith, as mainly distinguished from Popery.

Viewing a church organization in these lights, continued *unity* or *division*—as the governing power, in view of circumstances, may determine—must be regarded as necessary contingents, inseparable from the nature of the compact or principle of association. The general right for which we contend, enters into the very conception of church independence, and is included in every idea of proper sovereignty, The right and power of self regulation involve it so essentially, that its denial becomes at once absurd and meaningless—a mere theoretical dogma, or fiction of feeling.

The Plan of Separation simply proposed a division of the sovereign power *in its exercise*; that is, a separate but essentially similar jurisdiction—separate, as it regards the territory, rulers, and subjects of it, but in everything else the same as before the division. The true original unity of the church is not affected by the division; for while it is subjected of course to some new conditions and altered relations, yet, as these do not extend to faith, practice, or form of government, the proper moral unity of the church is in no way affected by the Plan of Separation.

THIRD.—*We except to the gratuitous averment and charge, that no necessity, no valid cause or sufficient rea-*

son, existed for the Declaration of the Southern Delegates in 1844, *or the course adopted by the Annual Conferences in the Slave-holding States subsequently.* The misrepresentation of truth and fact, in this instance, is so gross —so utterly groundless and offensively unjust—that no alternative is left us but to expose its entire want of truth and fairness. This we shall do with all plainness; appealing to various unquestionable sources of proof, and, among others, compelling the very men who preferred the charge, to furnish the most conclusive evidence of its falsehood and injustice, provided their own acts and averments are worthy of credit. In the Declaration alluded to, the southern delegates avow the conviction that a state of things "*must* result" from the action of the General Conference on slavery, rendering it impossible to accomplish the great objects of the christian ministry, in the south, under the jurisdiction of a body capable of the outrage complained of; and the Plan of Separation itself recognizes the *only* difficulty creating the necessity, as *then* existing. Northern delegates, with ample means of information, from long residence in the south and other sources, as Dr. Olin and others, bore the same testimony, and declared their entire conviction, that the southern ministry could not live under the burden of such a grievance. The Plan concedes, in language stamping the imputation under notice with all the indelible characters of the most reckless misrepresentation, that fifty-one southern delegates then and there declared, without reference to future and further information, that in view of what had taken place, the usefulness of the southern ministry "must" be fearfully abridged, "under the jurisdiction of the General Conference, as then constituted." The thousand affirmations, paraded in all the possible forms of *ad captandum* appeal,

to the effect that the question of necessity connected only with the *future*, when examined in the light of facts and history, will be found to be as destitute of truth as they must have been malignant in purpose. The contrary appears upon the *face* of the whole evidence in the case. The hypothetical forms of expression in the Plan, such as, "should it be found necessary," were inserted expressly, not to question the existence of the necessity directly declared on the one hand and admitted on the other, but to keep open the door of continued union, should it be found at all practicable, consistently with the interests involved, and *already*, as we have seen, in imminent peril.

The Church, South, in overwhelming majorities, leaving only small portions as exceptions to the rule, had everywhere declared against the anti-slavery and abolition movements of the General Conference, as inexcusable violations of law and right, long before the southern delegates returned to their homes, and on the basis of information reaching them almost exclusively through the medium of the "Christian Advocate and Journal," as the original source of intelligence. The imputations so rife and common with the party-managers, north, that the southern delegates agitated the southern mind, and misled the General Conference by a show of necessity that did not exist, are fated, by the sober decisions of truth and candor, to find rank and place among innumerable other exhibitions of disappointed malignity and baffled spleen, furnishing the principal staple of gain and influence among vilifiers of the south, in the shape of northern Methodist preachers. Besides, it is proper it should be as well known by all as it is by some, that the southern delegates, as southern ministers and citizens, felt themselves shut up to the necessity of resistance and even separation, unless

the majority changed their policy and position on the subject of slavery, as shown at length, and without the possibility of misconception, in the Declaration and Protest. They regarded the position and course of the conference on this subject, as alike inconsistent with the mission of Methodism and the laws of christianity, and an unauthorized attempt to torture the first into an amendment or repeal of the second. Such were then our sentiments, and such continue to be our convictions and feelings; and the more we hear and learn on the subject, connected with the north generally, and northern Methodism especially, the more we are satisfied that the whole movement has had its origin in motives, and been sustained by means and appliances, having no connection with christian piety. There was then—there is now—no likelihood of any agreement between us on this subject; and we now re-affirm, in the full confidence of truth and right, what we said to the church, north, in 1844. We are not only willing, but anxious and resolved, as a christian body, to abide in all fidelity and singleness of purpose, the legislation of the bible on the subject of slavery; and as this legislation is full and explicit, varied and multiform, in its notices and instructions in view of all the relations and duties, rights and interests of master and slave, as differently mixed up in different states and countries, with various forms of political organization, and the established jural relations of government and society, we deem church legislation beyond this unwise and uncalled for; and by how far the church shall attempt to legislate in contravention of the bible and without the warrant of christianity, whose revelations and requirements are the only allowable standard of judgment and appeal, we occupy at once the ground of dissent and resistance. When this

is done, as it has been by the Methodist E. Church, we say, once for all, and to all concerned, we have for such legislation no respect, and will not submit to it. We regard christianity as dishonored in its claims and damaged in its influence by all such movements, and to the extent any church may become a pander to such methods of influence and distinction, we decline intercourse; and no array of adverse combination—no "World's Alliance"—shall ever gull or drive us into such a desecration of the divine claims of christianity. We leave every church of this description alone in its glory or shame. We have no sympathy with its extra-christian optimism. It is too far in advance of Christ and Paul to allow us any chance in the race; and whatever "enchantment' may connect with the "view" and career of such reformers, so far as we are concerned, we prefer that "distance" shall "lend" it!

It is our mission to preach Christ, and faithfully teach and evangelize master and slave; and as we find the condition of either improved, by an advance in moral progress or physical improvement, it becomes the measure and warrant of our rejoicing. If the great law of Christian evangelization, as given by the world's apostle, that "in Christ Jesus there is neither bond nor free," be true or has any meaning, then those churches or ministers who are always parading denials and harping contradictions of its truth and fitness, lest the maxim of church action in apostolic times should be thought worthy the deference of modern enlightenment, should be allowed the rare distinction they so ambitiously covet—that of improving upon the ethics of Paul, and regretting the omissions of his Master! With such churches and ministers we wish to have nothing to do. To our conception, no truth in

history or proposition in morals is more certainly true than that the position and movements of the Methodist Church, North, in its Abolition and Anti-slavery Crusade, —its war of subjection and extermination against the South—is, in all the aspects giving it form and character, not only unauthorized by christianity, but in direct violation of the teachings of the bible, and by so far immoral and ungodly, because at variance with the doctrine and morality of the bible regulating the subject.

The announcement may startle, but we fear no analysis which may be brought to bear upon it. No array of names or numbers can affect us. To cursing and recrimination we have been too long accustomed, not to know their impotence. The ban of non-intercourse—no confraternity with southern Methodists—the shout of abolition abuse and hate—the being made the song of the reviler, in places high or low, where anti-slavery holds carnival, as recently in Pittsburg—all these things, with whatever more of the same kind may be in reversion, do not move us. We know our position, and intend to occupy and maintain it. We are firm and quiet, although not asleep or indifferent. To the charge of "pro-slavery" we say "No," distinctly, unless you can show that the bible is for it. If the charge be that we are not "anti-slavery," our reply is, we are so only, and yet to the full extent that the bible is. Thus far we go, but further we cannot—we will not. And why is this not satisfactory? The bible discusses and regulates the subject as a question of ethics—of practical christian morality—and we bow to its light and authority. The amendments of the church we reject. As it is a question in every country belonging to the state, and not the church, it is our creed and purpose to go as far *against* slavery as christianity

teaches, and no further *for* it than christianity allows. And by this rule let all men know how to judge us, and where to find us. And the man, whoever he may be, or wherever found, who points to us, and cries "*pro-slavery*" or "*no anti-slavery*," if he mean anything variant from this rule, does so "with a lie in his right hand."

We submitted, and went with the northern portion of the church for the sake of peace and on the ground of compromise, until we became perfectly satisfied that they were *off the bible* and against the laws and polity of the country on the subject—were ultra and fanatic—impatient of the restraints of truth and right—assailing and attempting to undermine and overthrow civil institutions, existing under the full sanction of the national compact—sowing discord and promoting disunion throughout the different states, as divided upon the question—and then we deemed it time to stop, and informed them distinctly we would no longer submit to such a course. If we are mistaken, or reason inconclusively on this subject, let it be shown. The question is one of christian morals, noticed at length and disposed of in the scriptures, whose decisions are final among christians. To this test we hold the abolitionist and the slaveholder, so far as the morality of the question is concerned. It is in this aspect of the subject we have dissented from the North of the Methodist E. Church, under the clear and full impression that they are as far from the bible as from us, in the views and action they are pushing to such extremity against the South. The light and darkness of heaven and hell are scarcely in more unyielding contrast than the conduct of the northern Methodist Church and that of Christ and his apostles, in their action on the subject of slavery. The latter, evangelizing countries in which

slaves were found in millions, simply instructed master and slave in the duties growing out of their reciprocal relations, without in any way denouncing or disturbing the relation itself. The former, however, assuming of course to be better informed, make it no small part of their business to disturb and agitate, curse and abuse. No intelligence can resist the conviction that one of these extremes must be wrong. Which is it? That both can be right is inconceivable. Here may be seen at once the necessity for separation between the North and South of the Methodist Church. The whole movement north is a proclamation of notice, that the defective legislation of heaven on the subject of slavery can be borne no longer, and must be supplemented by "another gospel"—the rare interfusions and superadditions of abolition ethics and anti-slavery propogandism. In the glory, the spoil, and excitement of all such movements and demonstrations, we have no participation. We are withheld from them by considerations, which, in our judgment, should always, in every country, influence the christian and the citizen. Methodism, repeating only the lessons of christianity, has always taught that divine direction and influence never give character to a church, people, or individual, except by means of the bible, as the full and sufficient revelation of the divine will; and there is nothing of which we are more certain than the opinions and conduct against which we protest, have no original type or warrant in the word of God. These convictions are nearly universal among southern Methodists; and hence, in the nature and fitness of things, the necessity of separation assumed by their action during the last four years.

The Plan of Separation was adopted giving unlimited and exclusive right to the southern delegates, *then* and

there present, to judge of such necessity *at the time.* This however was declined, and, at *our* instance, the Plan, after its final passage, was so altered, as to give the right to the annual conferences in the slave-holding states. Why has this fact been so carefully suppressed in the North, and the impression attempted to be made, that *they required* the authority of the Plan, to turn upon *future* developments in the South. The law itself—the plain language of the Plan—proves the statement to be untrue, and every member of the General Conference of 1844 knew it to be so, and yet the falsehood has had unchecked currency at the North for four years. What was the motive—was it to deceive and mislead, lest the action of the South should be regarded as in accordance with law and right? We are not disposed and it certainly cannot be necessary, after the facts are known, to do more than allude to the claim of right set up, assumed and asserted in various forms by the Northern General Conference, to be themselves the judges of the necessity of separation after formally conceding in the Plan, that the southern annual conferences were to be the sole judges in the case! The claim is so sheerly unjust, and ridiculously unfeasible, in every view of the facts and circumstances, that to name the absurd pretence, would seem to render any farther notice of it unnecessary. The intelligent reader however will not be able to dismiss it, without noticing how inextricably it involves the character of the General Conference. In 1844, they admit in the Plan, that the only proper judges of the necessity of separation are the southern delegates and conferences, and distinctly relinquish all right in the premises. Such was their official judgment and final action upon which the South relied. In 1848, having

meanwhile determined to destroy the Plan, and treat their own action in 1844, with the most reckless contempt—having denied their obligation to pay a debt claimed by the South, the justice of which was admitted in 1844, by a clear majority of 140 members of the body—they resolve, as they are going to destroy the Plan and repudiate their southern debt, that it will be necessary for them to constitute *themselves* the judges of a necessity, which had been decided upon and finally determined three years before, under their own direction, and in strict accordance with a law of their own enactment! They decide in the case, as men capable of such conduct might be expected to, that there existed no necessity for separation, and, *ergo*, that the Plan may be destroyed and the funds withheld! And this is "the strictest equity" solemnly pledged us in the Plan of Separation!

The statement has been made in different forms and variously urged, as a reason for not keeping faith with the South, that the southern delegates, before leaving New York in 1844, met and resolved on separation, without consultation with their constituents—that the Louisville Convention was *then* and *there* appointed, and that the delegates then went to work to get up an excitement! And, connected with this, is the equally astounding statement, that the action of the General Conference has no reference to the actual separation of the South, and was only intended as a "peace-measure"—a barrel to the whale—or rather a mere ruse, to keep the South quiet, and give the North time to rally and recruit! How the deception, if not fraud, involved in such a statement, could in any sense be a "peace-measure," is beyond our discernment. Such charges demand at least a brief notice at our hands—and the last first.

The mis-statements and falsehoods of the press, and similar offences against truth and history, in debate, and under other circumstances, will be best corrected and settled, by the journal-records of the General Conference itself. The authors and retailers of the fabrication, that separation was not in the contemplation of that body, can never remove the impossibility of believing their statement, created by the nearly unanimous adoption of the following resolution:—

"*Resolved*, That the committee appointed to take into consideration the communication of the Delegates from the Southern Conferences *be instructed*, provided they cannot in their judgment devise a plan for an amicable adjustment of the difficulties now existing in the church on the subject of Slavery, to devise, if possible, a *constitutional plan* for a mutual and friendly *division of the church*."

This language is too unmistakeably exact to have been misunderstood by any one. The resolution proves incontrovertibly, that the Committee of Nine were authoritatively instructed to bring in a plan for *dividing* the church, and the plan was brought in accordingly and duly adopted, as the "constitutional plan," ordered by the Conference. A motion was made to strike out the word "constitutional," but it was promptly rejected; and the South were thus assured by the General Conference, in a form the most direct and explicit, that their separation should be "constitutional." Here, then, is proof, clear as was ever perceived by the human mind, that the General Conference did contemplate and intend division, and division, too, without disability of any kind, if the South so elected; and the denial of it at the late Pittsburgh Conference, in twenty different forms, cannot fail to provoke the surprise and scorn of any mind capable of feeling the force of evidence. Moreover, the General

Conference gave to the report of a "constitutional plan" for dividing the church, the title of "Plan of *Separation.*" The object is avowed in terms, and even repeatedly, in the instrument itself; and the whole Report is nonsense without it. Similar terms and equally distinctive forms of expression, were used in debate, as we shall have occasion to show,—although with the full conviction, how unnecessary it must be to multiply evidence in a case where belief, after all, must rest upon the impossibility of doubt. As it regards the other charge, that the southern delegates were guilty of deception in affecting to believe separation necessary, when no such necessity existed, and that they forestalled deliberation in the South by appointing the Louisville Convention before they left New York—whereas the validity of the whole Plan depended on future developments—it will be seen at once, that the first part of this impossible ill-conceived fiction, is utterly overthrown by the decisive fact, already stated, that the General Conference *agreed to let the question of necessity be conclusively settled by the Southern Delegates alone, on the 8th day of June,* 1844, in the city of New York! And after such consent and agreement, with what claim to truth or fairness did the recent General Conference deliberately charge what their own journal declares was not the fact and is not true in the case. The fact is, but for the great anxiety of the southern delegates (not Northern,) to proceed cautiously and safely, the question of necessity *would have had no future* at all; and the only "deception" in the case—every thing that resembles "fraudulent" double-dealing—belongs to those who have done all in their power to withhold this fact from public notice, whenever and wherever it has been likely to attract such notice. The other part of this attempt at false impression admits of ready adjustment.

The southern delegates published an address to the church, south, before leaving New York, in which, without expressing any opinion of their own, and after leaving the whole question of necessity to be decided by the Annual conferences, after ascertaining the conviction and judgment of the whole church on the subject, they recommend what they considered a suitable mode of action, should the necessity of separation be finally determined upon. This was only doing what they had a right and the General Conference had expressly authorized them to do, and what all men of considerate foresight would have done, under the circumstances. They say to the church, south, "We beg leave to submit to your consideration the expediency of concurring in the following plan of procuring *the judgment of the church*, in the slaveholding States, as to the *propriety* of organizing a Southern Division of the Methodist Episcopal Church in the United States, and of effecting such an organization, *should it be deemed necessary*. Of this necessity *you are the judges*, after a careful survey and comparison of all the reasons for and against it." Such are the facts and evidence, both undeniable, except by men who are prepared to assert any thing that may suit their purpose; and, in the light of these facts and such evidence, what becomes of the fierce, paltry tissue of accusation and abuse, by which both have been so shamefully distorted by a large body of Christian Ministers!

So far from its being true, in whole or in part, that separation was not contemplated, except as a remote possible contingency, as assumed by the Pittsburgh General Conference—the whole being the mere echo of the ever-teeming abuse and distortion of the New York and Cincinnati "Advocates," for the last four years—the well

known fact is, the whole course of the southern delegation, told the northern, (and *they* shall *prove* the statement,) that their extravagant and fanatic prejudices—their innovating encroachments on the rights and quiet of southern citizenship, contrary to the law of the church and the law of the land, and without plea of suggestion from the Word of God—rendered separation inevitable, unless they relaxed in their course and retraced their steps; and this is given as the *ultimatum* of their Protest. Accordingly, when the North saw they had brought on an unexpected crisis, and that the South would bear the burden no longer, after long hesitation, they agree to meet the crisis with a show of fairness and justice,—trusting, meanwhile, (we judge them by the fair test of their after conduct,) that the South would either relent, or find themselves unequal to the task of independent existence. Disappointed, however, with regard to both—seeing the South go off with scarcely a thousand dissenters in all their bodies, and these a burden rather than gain to the North—witnessing the immediate decline of the Book Concern—the falling off of the subscription lists of their mammoth church organs, east and west—the fearful decrease of their members—the disreputation of the whole movement against the South—the firm establishment, high character, and growing numbers of the new organization—the vigor and efficiency with which it was conducted—the constant failure of all their efforts and attempts to injure and depress the South—the bad management of their *volunteer* leaders,—these disasters and such defeat, proved too much—everything could not be borne; the Plan of Separation must be destroyed; the funds pledged to the South held on to—even our *dividends*, which we held their obligation to pay, without change of the sixth

restriction, and whether we separated or not, must be kept in their coffers! The clamor of accusation, stormy debate and bold denunciation, distorted facts and perverted records—as we show in this Appeal—all this array of means and appliances must be resorted to, to put down the South, and re-exalt the hitherto dominant northern party. What the end of these shall be, remains to be seen. All the facts, however, (fruitful in inferences) at which we have glanced, go to show the wisdom of the choice we made, in the strait in which we found ourselves; and we are now, in view of every thing before us, not only deeply convinced of the necessity and fitness of separation, when it took place, but we have the full conviction that new reasons and causes have been increasing in weight and urgency ever since. We could not, as citizens of the South, have lived with any tolerable fraternity of feeling under the control of an Abolition and Anti-Slavery majority in General Conference, with a new code of ethics claiming enforcement every four years, and it is well we separated. We are more than satisfied with the result, and grateful to God that it took place when it did. We rejoice that we sustain to the Methodist Episcopal Church the relation we do, that of perfect independence; because we regard the entire conduct of the northern toward the southern Church as essentially faithless and dishonorable; and we are most happy not to be found in such company. We could not consent to bear any part of *such* a burden. Their abuse and defamation we can bear. Falsehood and misstatement we can repel and correct—as in this review of their conduct—and thus turn their weapons upon themselves; but we could not bear up under a well founded imputation of bad faith and want of honor, and so of

other offences, the proof of which we furnish in this Appeal. We are by no means unconscious of the strength of the language we employ. We know our charges are grave, and that the consequences must be so too. Still, we cannot retreat from our position; nor, with our present conceptions of things, can we admit that we have done the northern church injustice. We invite the most rigid scrutiny; and if it can be shown that we have misconceived the character and conduct of the church, north, as represented by its rulers—the General Conference—we shall be glad to know it. At present, however, our convictions are stronger than the language we use. It is our most deliberate judgment, that haste, hate, and passion, on the part of the leaders of the northern church, have covered it with shame and dishonor. Not that the great body, either of the ministry or people, are corrupt, but they have left themselves in the hands of men by whom they have been deceived, and, as we believe, dishonored.

Let the reader calmly re-look at some of the items to which we have called attention. The General Conference, for example, gravely charging the South with deception and fraud, in deciding on the necessity of separation, when it is affirmed no necessity existed, and that the right of judgment belonged to *them*, and not to those to whom they had expressly delegated it! Must it not be perceived, that a thousand denials can never weigh a feather against the incontestible fact, that the Plan itself not only directly constituted the southern Delegates a party, then and there actually negotiating a settlement of difficulties with the northern majority, but conceded to them, in turn, the sole right to decide the question of necessity. No man, it seems to us, understanding law or language, can resist the conclusion, that

the charge and assumption above are alike plain violations of the law and rights both of truth and justice.

Take the example of a plain direct legislative grant, in the Plan of Separation, to all ministers, from the mere licentiate up to the bishop, to "attach" themselves to the southern organization, should they prefer it, without any charge of "blame," and then, in every instance, where their own authoritative permission is acted upon, hastening to declare that the persons joining or adhering to the southern church, had "withdrawn," "left," "seceded," &c. We are compelled to regard such conduct, as a shameless violation of truth and honor. We see no way by, no ground on which we can avoid the conclusion. There is, to our conception, connected with such conduct a manifest combination of the mean and malignant, the low and the spiteful; and truth and self-respect compel us to characterize it accordingly.

The Episcopal executive administration, under the law of the Plan of Separation, and protected by it, authorized, as elswhere seen, the entire organic action of the south as a "distinct ecclesiastical establishment;" and yet the very men who issued the warrant of action, denounce conformity to it, as secession and apostacy, and the General Conference endorses the libel! They refuse to fraternize with the South, assigning as a reason that they had violated the Plan of Separation; although they themselves have all along claimed and avowed the right and duty of violating it as of no authority or force. In these directly antagonistic positions, they appear at the same time, and how they can claim to be honest in both, we leave others to decide. They refuse to recognize the South because of its slavery relations—as shown by *Stevens*, whose direct and fearless abolitionism they

wished to disguise but *dare not attack*—and yet the Baltimore Conference, *less excusably* connected with slavery, by their own showing in 1844, than any one of all the southern conferences, is nearly crushed to death in the bear-hug of their slavery-hating embrace! They officially avow a willingness to do something, they do not exactly know what, toward settling the property question, and yet, when they had it in their power to do us justice, by their own report, the Annual conferences "refused" to do it;—of course the intention was not to let us have our own, in accordance with their admission and pledge in 1844. They first admit our claim and propose payment; they then put it, by deliberate preconcerted action, out of their power to pay, and conclude by telling us how anxious they are to do what is right!

The plea of legal disability is urged by the very men who, by their own statement, voted on the question and decided they *would not pay*,—thus creating, by a special action of their own, the very impediment which they offer in excuse for not meeting their engagements to divide the funds with the South! The reader will not forget that the whole matter is in the hands of the travelling Preachers, who, in General Conference, talk handsomely and pledge fairly, while *the same men* in Annual conferences, both argue and vote against giving the South anything! We can furnish the names of individuals—a numerous list—who in General Conference vote *one* way, and, in Annual Conference, directly *opposite!* It was shown demonstratively by Dr. Durbin and others, that several Annual conferences evaded a direct vote on the measure proposed by the General Conference of 1844, and that, not voting in good faith on "the question," the General Conference of 1848 had no right to count their

votes. In this view of the subject, and we shall prove it to be the true one, *the whole body knew well* that the restriction had been removed, and that the only difficulty in the way of payment, was want of disposition; and in this way, by such action, the General Conference of 1848 has deliberately challenged the imputation of unworthy motive. Or if it be thrown upon the Annual conferences, the imputation holds equally with regard to them. Several of these avowedly made an issue of their own. They say they voted in the negative to prevent the South from separating. This, of course, was not voting on "the question;" the true question was to remove the restriction that justice might be done to the South. This they "refused" to do, and the charge of improper motive, if not fraudulent intention, remains in all its force. The design is too transparent to mislead any one. Had the direct, the fair, and the honest been intended, rather than the disguised robbery advocated by Finley, Tomlinson, and others, why all this wily complication of policy—such paltry hesitation and chaffering about the *how* and the *what* of action? Can the unfairness and injustice of these shifts and devices be accounted far apart from the claims and promptings of self-interest? In 1844 they pledge themselves to the South in a deed of settlement—what they themselves call a Plan of Separation, that is, the terms and conditions on which the parties were about to separate, and assume independence of each other—and in 1848 they impeach and deny all they had before affirmed and maintained, and signally avenge their own dullness by destroying the Plan itself!

We prove irresistibly, by their own statements, that the necessity of separation existed at the time of action; and show that all that they now say against it is but self-

contradiction. They now assume, it is true, that their former opinions and evidence are not worth a straw, but this does not remove the difficulty; for who can prove that their opinions and evidence now are of any more value than in 1844? We furnish their own invincibly conflicting statements, and leave upright minds to judge of the miserable humiliating discrepancy, in the best way they can.

The General Conference of 1848 declare that that of 1844 had no right or power to adopt the Plan of Separation, and quote the decision of the Annual conferences as conclusive in the case; whereas, in our jugdment, the action of the Annual conferences proves the contrary. Had it been the opinion of the Annual Conferences that the General Conference had no right to adopt the Plan, they would certainly not have acted upon the provisions of the Plan; but, by formal action upon the basis of the Plan, they have unequivocally admitted its authority, in direct conflict with the late assumption and action of the Pittsburg General Conference, and clearly showing that want of right has been an after-thought, and, as we believe, in search of an excuse to withhold the property of the South.

Again, the denial of power in the General Conference to divide the church is folly; for whatever may have been their right, or want of it, in point of fact, *they did divide* it. The proof is direct and precludes all doubt. 1st.—The Plan of Separation, as a General Conference act—having the official approval of more than *nine-tenths* of the whole body—declares the separation complete, "should the Annual conferences in the Slave-holding States find it necessary." These conferences, 2nd, did find it necessary, by a vote approaching to absolute unanimity, as

shown by the Report of the Committee on Organization, adopted with equal unanimity by the Louisville Convention, May, 1845. And it is further and equally true, 3rd, that the Convention proceeded, in due form, to complete "the Southern Organization" authorized by the General Conference of 1844. That body suspended division upon a single contingency; it is in proof that this contingency occurred, and occurred in the precise way and form conditioned by the Plan of Separation, and the result is, the General Conference of 1844 actually divided the Methodist E. Church.

There is one fact connected with this finding of necessity which greatly enhances the wrong of the Methodist E. Church in the premises. By their own contract the right of judgment first rested with the delegates alone, and to be determined *at the time* in New York. The latter had the right transferred to the Annual Conferences, and recommended that the people at large should be consulted, and this was done accordingly. By the Plan a simple majority of the travelling Preachers, constituting the annual conferences, had a right to decide the question; and no right to disturb the decision existed any where. We show, however, that instead of a simple majority of the travelling ministry, the whole body of that class of ministers, together with the entire mass of the Local ministry and membership, in the ratio of at least ninety-five in the hundred, went for division. Instead, therefore, of the finding the law required, we show that the whole church, with the exception of a minority less than could reasonably have been counted on by any one, favored the proposition to separate. The fact is, with all the machinery of church influence brought to bear upon the question for four years—a perpetual drumming up and din of arms—

with their funds, *and ours too*—the press—spies—missionaries, and so of the rest—they have been able to muster and enrol what number of malcontents? Take in all the Abolition and Anti-slavery *oases* in Virginia, Kentucky, Missouri and Arkansas, and what is the sum? "*Nearly* three thousand" is their answer. Less than three thousand men, women, and children—slaves, free negroes, and Indians—in a church numbering nearly half a million, is deemed a number so formidable as to go far towards justifying the bad faith of which we complain. Upon the character of these, as a body of dissentients, it is proper to remark, that while some are no doubt respectable, it is well known to those who have mustered them that others are not. At one of these *oases* the presiding genius, just before his conversion to Northernism, had been expelled the church for *lying and drunkenness.* At another, the leader had been expelled for *gross falsehood,* of which he was found guilty *on seven distinct counts;* and we have rare materials with regard to *other* sections for showing how miserably the northern church will find itself gulled, with regard to this *dissenting* interest in the South. The church and public have both been imposed upon by the action of the late General Conference, in reference to this matter, as we have shown is the case in relation to other matters; and the whole goes to show a course of action so directly wrong, or at best equivocal, as not only to throw doubt over their opinions, but even the facts they assume, and thus subject even their motives to suspicion.

FOURTH.—*We except to the course and conduct of the Northern Church, and charge unfairness and injustice, in relation to the proposed change of the sixth restrictive*

rule, and other items. The provision to change this rule, was believed by nearly all the southern delegates to be entirely unnecessary. The reasons are plain and obvious. 1st. The organization likely to take place in the South was fully and expressly authorized by the supreme authority of the church, and withal, as we have seen, declared to be "constitutional," and of course no change of the constitution could be necessary to legitimate it. It had nothing new or alien about it, except the mere facts of separation and independence. 2d. The change of the restriction related only to the division of funds owned in part by the separating conferences, as partners, and as the South wanted its own for the specific purposes intended and prescribed in the restriction itself, no change was at all necessary. The portion of the fund coming to the South was not to be diverted to any new purpose, but its proceeds appropriated in the strictest accordance with the intention of the restriction sought to be changed. The North, however, insisted on the change of the restriction, lest the Annual conferences might urge the restriction in bar to the division of the funds, and the South submitted. Several of the Annual conferences of the North, meeting soon after the session of the General Conference, voted for the change. The Northern Methodist press, however, with but few exceptions, commenced an early and bitter assault upon the measure, and upon the authority and action of the General Conference; and although these church papers had either submitted in silence, or advocated the Plan of Separation before, they suddenly became their own antipodes, and we had before us the spectacle of a grave church organ urging the defeat of the measure in question for the very reasons, and from the same motives, which a

month before had been as zealously and confidently assigned for its success! The result was, the Annual Conferences, North, under the influence of this revolutionary movement of the press, became excited and exasperated in relation to the South. The evils which to a great extent had been arrested and adjusted by the adoption of the Plan of Separation, were instantly returned upon the church by the mischievous interference and open rebellion of the press, trampling upon the law and authority of the General Conference. Revolution, wild and ungovernable, receiving impulse from a few disorganizing spirits, soon extended to every department of the church. The sense of justice so honorably manifested by the General Conference, gave way under the current assaults of abuse and declamation, and the measure—the change of the restriction—was finally reported *to be lost*. This report strengthened the hands of the revolutionary leaders, who proclaimed themselves sustained by the annual conferences in their assault upon the General Conference and the South, and the whole church, north, as represented by its press—at least the most prominent part of it—became an agitated sea, casting up the "mire and dirt" of ill-nature and abuse.

The reported result, however, with regard to the sixth restriction, we have gravely doubted, and have accordingly officially *challenged*. It is our belief that, however unintentionally, a most stupendous fraud has been practised upon the South in connection with it. It is, we have reason to believe, susceptible of legal proof, that four of the Annual conferences voted—some *contingently*, and others *evasively*, from *preconcertion* among their members, respectively; and in our judgment the *contingent* vote should, in every fair

construction of law and equity, be counted *for* the change; while the *evasive* vote should be indignantly *rejected*, as not having been given in *good faith*. The contingent vote was *against* change, unless the South actually separated, and if it did, *in favor* of it. The evasive vote was against the change, but with *no intention* to prevent the division of property with the South. These facts, it is true, may not appear upon the journals of the conferences, but can be sustained by the oaths of numerous respectable witnesses who were present and took part in the transactions. The most material points we assume in relation to this matter, are fully sustained by the statements of Drs. Durbin, Bond, and Kenneday, and others, recently at Pittsburgh. How far the language of one of these conferences may go to define the position of all we are not prepared to say, beyond the preceding statement:—

"*Resolved*, that the decision of this Conference at its last session, non-concurring in the proposed alteration of the sixth restriction, was not based upon *opposition* in the Conference to a fair and equitable division and distribution of the funds and property of the church, *as provided for* in the Plan of Separation to the Church South, but on other grounds *altogether*.

S. A. Roszel,
Sec'y Baltimore Annual Conference.

23*d March*, 1846."

The Philadelphia Conference voted in the same way, and we maintain that the vote of both should be rejected, as each voted upon an issue of its own, and not "*on the question*" as required by law, when its letter and spirit—its meaning as well as language—are taken into the account. Rejecting the votes of the Baltimore and Philadelphia Conferences, to say nothing of the other conferences alluded to, the restriction is removed, and no legal

difficulty in the way of settling with the South, according to contract. These views and facts were pressed upon the notice of the Northern Commissioners and Book agents of New York some two years ago, but the Commissioners declined action, and the Agents never replied to our communication at all. It is now, and was then, our opinion, that the Commissioners and Agents above, had legitimate power and right to proceed to action, and settle with the South. And how much better to have done so, than to adjourn the matter, as they did, to be mismanaged and mangled, by the *repudiating* majority of the late General Conference; and, without any reference to the conference, we shall hold them strictly responsible for the refusal to act as authorized. But if we grant that by a strict technical construction of mere terms, the change of the restriction has not been affected, how does this in any final sense affect or mend the matter. In our judgment it only makes it worse, and proves the truth of our main position. For the question arises, by whom was it defeated? By the very men, the travelling Preachers, north, who had the whole in their power, to divide or refuse, as they preferred. By the very men, we regret to say, who owe us the money. By the very men who *admitted* our claim and *promised* to pay it. By the very men who, owing us the money, deliberately, as we are told by the Pittsburgh General Conference itself, put it out of their power to be just and honest in its payment, according to contract. Finding that their proper constitutional agents, in General Conference, had committed them to payment upon the unquestionable claim of the South, they "make over their property" *to the many, to avoid individual responsibility.* They avow all "fairness and the strictest equity" in the Plan of Separation.

Time, circumstances, and manner invested the whole deed with the most intense interest. They solemnly declare they allowed us to depart "as brethren," *with our own* and "without blame." The work in which they were even then, it may be, prospectively engaged, did not perhaps admit of the "tears and prayers" sneeringly credited to the South; they avow the fair and the equitable, and then hasten with all possible dispatch to interpose a disability (by refusing to remove it when they had it in their power) to cover their retreat from the obligations of a plain contract, made by the very and only authority which has enacted every law in their statute-book since they had an existence, and by which they are absolutely governed in all their church relations! The South voted unanimously for the change of the restriction. The act refusing to change is *theirs alone*, and they alone are responsible for the wrong. If we take the published accounts of the *negative* vote of several of the annual conferences, we must believe they wished us, in the event of separation, to obtain our portion of the church funds, and did not intend to withhold it by the vote they gave. Church demagogues, connected with the press and the pulpit, either not understanding the subject themselves or intending to deceive, had made the impression extensively, that, should the restrictive rule not be changed, the whole Plan of Separation would be of no effect; and, thus impressed, multitudes voted as they would not have voted but for the manner in which they had been misled. Duped and deceived by those they trusted as leaders, they thought they were voting against separation, not a division of the church funds in the event of it.

This being so, it seems clear that by *intention* of the conferences, the real *animus* of their action, the change

was voted for by the required constitutional majority. The Plan required that the annual conferences should have action on the question at the first approaching session of each, after the 8th of June, 1844. The Maine Conference refused to do so, and of course, having *officially thrown away its vote*, as the northern Commissioners and Agents well know, had no right to vote subsequently. Church editors, however, having set on foot the project of defeating the object of the General Conference and the ends of justice, with regard to the South, the Maine Conference, anxious to participate in the wrong, as we regard it, and come in for part of the blame, resolved to vote at its next session!

We maintain, however, that the vote of the Maine Conference was debarred and vitiated by the refusal to vote at the time prescribed. It was evidently the intention to throw away the vote of the conference, and if not, for the other reason assigned, the vote should have been rejected. Rejecting the vote of Maine and counting that of Baltimore, as explained by resolution in 1846, the General Conference of Pittsburgh had all the authority they needed—all the right they asked for, to do justice to the South. To do justice to the South, however, as we are compelled to understand its action, was no part of the business of the Northern General Conference of 1848. No impartial observer can help perceiving, that the disposition and purpose, not to let us have our share of the church funds, are nearly universal in the northern ministry ruling and representing the church. We were personally assured by influential members of the late General Conference, that only about twenty in the whole body were really in favor of dividing the property with us; and their whole conduct goes to prove the

statement. The very men who voted for equitable division in the General and Annual Conferences of 1844 and 1845, have since, and are now doing all in their power to prevent it! Their names and the proof can be furnished at any time. They have written, spoken, and voted *for* and *against* the measure. They have advocated and denounced it—have done all in their power to defeat the measure of an equitable distribution, and yet have been noisy and clamorous about their sense of justice and willingness to do right. These capricious changes, shifts, and self-thwartings, have induced thousands to believe that the fair and the honest have not been intended. If such had been the intention, why all this indirection—such winding and reduplication? Is there no evidence in all this, of collusion and circumvention—no attempt at deception and evasion, with intention to compass unlawful ends, as it regards the claims of the South? We ask all concerned, has the question been fairly met and honorably grappled with, in the good faith of manly and upright negotiation? We think not. It is our opinion, that to the manifest discredit of the North, the deep and lasting injury of the South, affecting the means of usefulness, the whole question has been dodged, evaded, and trifled with. This opinion we know is not confined to the South. The dissatisfaction is rife and extended throughout the North—at least in important sections of it. The people are not with their rulers on the subject. Even large portions of the traveling ministry are dissatisfied. Multitudes in New York, Philadelphia, Baltimore, Washington City, Pittsburgh, Wheeling, Cincinnati, and other places, will know we do not speak unadvisedly; and the party most interested will not be long without more correct information on the subject.

This is not the language of menace. We do not mean to predict formal action of any kind on the part of the people, much less that they intend to make common cause with the South. This we do not expect, nor do we desire it. What we mean is, that their sense of right and justice has been outraged. They believe the great principles of moral equity have been violated—that gross injustice has been done the South. They regard themselves as misrepresented and slandered by their rulers, or rather, the demagogue-managers of church politics. They believe the church press has, to an alarming extent, been most iniquitously prostituted to the low and unworthy purposes of personal ambition and private revenge. In a word, they have lost confidence in the church politicians now in the ascendant in the northern church, and the result is, the influence of the ministry is reduced and crippled.

Be all this as it may, we at least intend to render ourselves intelligible beyond misception; and we accordingly distinctly charge, that the Methodist Episcopal Church is not only withholding our property, but doing so with the full and perfect knowledge, that the constitutional majority of all the members of all the annual conferences, *voting*, and having a *right* to vote "on the question," in view of the prescribed mode, *have declared themselves in favor of a division of the property with the South.* The numerical vote, as finally counted by the North, under protest from the South, stands *two thousand one hundred and thirty-five for the change proposed,* and *one thousand and sixty-seven against it.* Even in the northern conferences 1164 voted *for* the change against 1067 in opposition. It is well known that the Baltimore and Philadelphia Conferences, convinced of the error of their

first vote, have been anxious to reverse it; and, as the General Conference received and counted the vote of Maine, although *not in accordance* with the Plan of Separation—should the Baltimore and Philadelphia Conferences see proper at their next sessions to do what they have not yet done, as they themselves declare, that is, *vote "on the question,"*—with what claim to consistency could their action be disapproved? It would, in fact, be authorized by the General Conference. This done, the difficulty would be removed. No legal barrier could be plead by the repudiators, and they would not dare on any other ground to refuse payment to the South, as they would be immediately indicted at the bar of public opinion, as guilty of swindling without the disguises of apparent fair dealing. It is worthy of note, too, that the annual conferences did not sit in judgment upon the *claim* of the South; the claim was admitted and became a matter of formal *debt* in the Plan of Separation, and the annual conferences were merely called upon to remove the difficulty, which it was feared might be urged in bar to the contemplated mode of payment. The only right of the General Conference related to the mode of payment, and could not affect the rights of the South, or the obligations of the North, in a plain matter of claim and debt. And as, it is a primary principle in every constitution, that nothing in it shall be so construed *as to destroy the obligation of contracts*, when the annual conferences had withheld the desired facilities as to the mode of payment, it was the plain duty of the General Conference *to order payment*, under the protection of the constitution and high moral right, without reference to the annual conferences. This, we are satisfied, will be the verdict of enlightened public opinion. The fixed principles of

right and justice, the unyielding law of equity, cannot be supposed to yield to any construction of constitutional restraint going to defeat the great primary ends of all government. The bare supposition is folly; and the practice would deprive any government of claim to good character. Any attempt to resist or subvert moral principle by legislative enactments, must prove a dangerous experiment; for it shows, in the body attempting it, a sense of common justice too low and loose, not to excite distrust at once. The evidence we submit must, we think, convince every impartial observer, that the disposition to hold on to the property pledged to the South in the Plan of Separation, has been one of the moral features of the northern church for the last four years. It is very well known the elections for General Conference representatives turned upon this question almost exclusively, and that when they first came together at Pittsburgh, they were quite unanimous in the purpose to repudiate, and not pay the South. It was soon seen, however, that they could expect no mercy at the hands of public opinion, unless they at least seemed anxious to deal equitably with the South. Public feeling, long indignant, toward the latter part of the session becoming excited, was decided in the tone and language of condemnation. This state of things had its effect; and, after a long and doubtful struggle, by a majority of *four*, a *contingent* arbitration was agreed upon! They propose to arbitrate the question, and *then* ask permission of the annual conferences to do so? They destroy the Plan of Separation, declare all its provisions null—do the South all possible injury—expressly release the annual conferences and the whole church from any and all "obligation" in the premises—and then, with a fair prospect of final repudiation, they

are ready to arbitrate,—which arbitration may or may not receive the sanction of the annual conferences, and without which it is not worth a copper, according to their own showing! The value of such an arbitration may be further inferred from the declaration of the chairman of the "Committee on the state of the Church," who assured them, its reference to the annual conferences *again* was a "forlorn hope!" And this "forlorn hope" is really all that is offered the South by way of "amicable settlement."

The truth is, the whole movement (the details of which will be attended to in another place,) is but a repetition of the same kind of evasive, equivocal action, to which we have had occasion so frequently to advert. The very terms of the proposition show they could have expected nothing from it except *evasion* and *postponement.* It might enable them to hold on to our funds another four years, or until some other turn or shift could be made in view of placing themselves in a more eligible position. This view of the matter is the more probable from the fact that, apart from their own assumption that no arbitration would be valid without the consent of the annual conferences, the Southern Commissioners had informed them that they would submit to no arbitration on the *claim* of the South, although willing to arbitrate the *mode* and *terms* of settlement—indeed any question which might be viewed as *means* to secure the *end* stipulated in the Plan of Separation. We assured them that, while we had large discretion as to means and methods which might tend to accomplish the object in dispute between us, we had no authority to treat with them, or even to entertain a proposition from them, involving want of good faith in reference to the Plan of Separation, and our claim under it. All this was well understood. There was no

expectation in the body that the proposition to arbitrate would be accepted by the Commissioners, unless the subject-matter—the question to be arbitrated—should be confined to means and methods, and not re-open the question of claim as settled in the Plan.

The South, relying upon the pledged faith of the whole church before separation, had established an independent organization in the confident expectation that their share of the funds would be received. The pledge of the church not only bound them to the letter of the Plan, and the common law applicable in the case, but to the "*strictest* equity;" and having not only expunged the letter and disowned the common law construction, but officially declared, in utter contempt of their own solemn engagements, that there was no "equity" in the case—having been thus deceived and outraged, and obviously from the most deliberate preconcertion—it certainly could not have been expected that the Southern Commissioners would commit their church to the liability of being again deceived and over-reached by the same body. In what—in whom could we confide? We could not trust them personally, for as *individuals* they had changed and deceived us. We could not trust them as the *General Conference* of the church, for as such they had changed and deceived us. We could not trust them in their *Annual Conference* relations, for there they had changed and deceived us, by refusing to meet engagements they had entered into through their proper constitutional agents, whose right and power were of course exclusive, as the Annual conferences had *parted with it* in its *delegation* to the General Conference.

All this is sufficiently humiliating; and how is it to be accounted for? A single fact, as we believe, furnishes

the key of explanation. It is the result of *party spirit* and *party organization*. The men with whom we have to do belong to the great Northern Abolition and Anti-slavery party;—a party resolved on action and agitation, encroachment and innovation, without any redeeming regard or consideration for the rights of others. It is the business, the vocation, the only life of the party, to meddle with what does not belong to them, and intrude their dictation and management where no right authorizes their interference, and no motive, but that of self-interest and aggrandizement, explains their intermeddling. In this grave party movement, the politician, the demagogue, and the religionist all unite—the legislative hall, the hustings, the temples of worship, all become the means of influence. Of this great party the Northern Methodist Church is a section, represented by their rulers the traveling ministry. With this body, to the rancour of the northern political feeling on the subject of slavery, must be added the fierce exclusive zeal of religious opinion and prejudice. This zeal has been manifesting itself in various forms, hostile to the opinions and interests of the southern division of the church during the last sixty years; and has been gradually increasing with the party, both in volume and intensity, until it has finally driven the southern part of the church to resistance and independence. The South, however, proceeded with caution. We resisted only within constitutional limits. We became independent by a provisional arrangement which they themselves declared "constitutional." Their statute-book authorizes our whole action. Their own language, action, and authority became the vouchers of the legitimacy of southern action. This state of things on the part of the South early exasperated the party—even to madness.

They turned in and denounced themselves and one another, as unworthy of credit or confidence. Subordinate organs, the mere creatures of the General Conference, declare its acts of no validity,—it had transcended its powers, betrayed its trust, and must be compelled to undo all it had done. From this state of party excitement the impulse of revolution is given to the whole church; and the party leaders are driven to changes, shifts, and experiments, involving themselves in difficulties from which history can never extricate them, so far as consistency and right are concerned. This we believe to be the true state of the case.

The South, although a minority in the nation, has always had the advantage in this most unnatural and unreasonable struggle. The North have been able to accomplish nothing, except as an invasion and disturbance of right: the constitution of the United States, the laws of Congress, and decisions of the Supreme Court, as the supreme law of the land, all protect the South, so far as right is concerned.

The Methodists of the South, too, have been a law-abiding people. In the cases of both Harding and Bishop Andrew, in 1844, the law of the church and the law of the land had to be trodden under foot and placed at defiance before they could be reached. The South, too, rather than the North, are under the protection of the law and teachings of Christianity, so far as revelation may be appealed to. They have not propogated, or in any way taught to extend their views on the subject of slavery. A thousand abolition and anti-slavery associations in the North have never led to a single pro-slavery society in the South. The South has been silent, except as attacked. The only extension of slavery that has taken place, has been in resistance of northern meddling and

dictation. The South has made no appeal to history, philosophy, or religion in support of her national, jural, or moral rights, in this repect, except as such appeal has been provoked by the vandal invasions of northern cupidity and fanaticism. They regard the national sovereignty as made up of a confederation of state sovereignties under a common general compact, under and by the provisions of which each state has sovereign right to regulate its own affairs and domestic relations, except in so far as portions of its sovereignty have been conventionally transferred to the national government for strictly national purposes; and all the South asks is, that the old confederating States—those already in the union—be fairly and liberally protected in view of the rights and conditions of confederation, and that new states, admitted from time to time, be allowed the right of entering, as the constitution expressly guarantees, on the same principle and footing, with full and equal rights, privileges, and immunities. Any attempt at dictation on the part of the North variant from this, or in contravention of the right in question—such as exacting new terms or conditions of confederation—will, as it ought to be, be resisted by the South, as a usurpation not only in violation of the original compact, but liable and likely, at any time, to dissolve the confederation.

This view of the subject will not, of course, be so construed by the intelligent reader as to conflict with the special compact in those aspects in which it may not be superseded by the constitution, found in the celebrated ordinance of 1787, in relation to the establishment of the "Northwestern Territory," whose southern boundary is the Ohio and upper Mississippi rivers. Nor, on the other hand, will he attempt so to construe the ordinance in question, limited and restrained as it unquestionably is by the

constitution, as to conflict with the authoritative exposition it received in the memorable legislative compact between the free and slave-holding states in 1821, known as the "Missouri Compromise"—designated in the act itself as a "fundamental condition," upon which the adverse parties had mutually agreed to adjust their difficulties—prohibiting slavery in states and territories north of latitude 36° 30′, but permitting it south, should the *people so elect.* Any infraction of these great conventional adjustments should be resisted by either party, north or south; and no attempt can be made to disturb or subvert the arrangement in question, by either party, without the most shameful breach of public faith, pledged in both instances under stress of high national emergency.

These facts, with their necessary inferences, have been glanced at merely to show the true position of Southern Methodists, in their capacity of citizens, in relation to the subject of slavery. As southern citizens they have rights, under *original state sovereignty*, with which no citizen—not even the general government of the United States—can meddle without perfidy. They have rights under enactments of the national legislature, pursuant to the constitution. They have rights under the judicial decisions of the supreme court of the United States. They have rights under the Northwestern and Missouri compacts, to which we have called attention. They have constructive and yet undoubted rights connected with the "common defence" and "general welfare," and especially the "more perfect union" and "*dimestic* tranquility" pledged in the constitution; and without which, as we are assured by Hamilton, Madison, and all original witnesses, the southern states never would have confederated at all. And can it be expected that southern Methodists will

consent to have all these rights, thus secured to them, ruthlessly disregarded and trodden under foot without remonstrance or resistance? We regard the impertinence of any such expectation as only equalled by the insolence of the claim it involves; and, in our judgment, it is high time each party were better informed in relation to the position and purposes of the other. In view of any hopeful adjustment, the sooner this state of things shall reach the end to which it tends, the better for both parties.

Among the agents and instruments of this invasion of southern rights the Northern Methodist Church is now a most prominent engine. It is so mixed up with the whole machinery of abolition and anti-slavery agitation and invasion, by its recent proclamation of hostility to the South, in so many forms of bitter and malignant assault, that its own chosen colors will not allow us any longer to distinguish it from the common enemy. It has become a pander to political agitation. It is an *Abolition* church. It is arrayed against the laws and rights of twelve or thirteen sovereign states, which their creed, as well as civil obligations, binds them to respect and defer to. It avows the purpose of seeking to destroy institutions and interests over which they have no control, human or divine. They denounce, as utterly devilish—of purely infernal origin—what God himself *approved* in the patriarchal, expressly *authorized* in the Jewish, and has seen proper to *regulate*, without any intimation of moral obliquity, in the Christian church. They have no fixed principles or settled views. They are the victims of a mania, constantly involving them in contradiction and inconsistency. They denounce in the Methodist E. Church, South, what they practice and approve among themselves;—slavery is an abomination in the traveling ministry, but is allowed in the local ministry

and membership. They declare bishop and elder to be the same officer in the church of God, and yet allow one to hold slaves, and depose the other for even involuntary "connection with slavery." They rigidly practice upon one requirement of the church law on slavery, and pay no attention to a sterner exaction right by the side of it,—although moral principle must of necessity be the same in both. The firmness, consistency, moderation, and dignity of strong moral conviction—of fixed religious principle—are no where to be found among them; all is agitation, caprice, passion, and resentment. And hence the almost innumerable acts of injustice and outrage of which we complain, and furnish the proof, in relation to the Methodist E. Church, South.

It is unpleasant, painfully so, thus to charge injustice and want of fair dealing; but, assailed, banned, and ostracized, as we are by the church, north—charged as we are with "falsehood," "deception," "fraud," "insincerity," and the most lawless obliquity of motive—the only alternative resort left us, is to show, with the freedom and directness called for by the atrocity of the treatment we have received, at whose door these charges are destined to lay in the judgment of truth and history, and why it has been attempted to shift the responsibility from the real offenders, and fix it upon the injured party in the controversy. The truth is, as the discerning reader will be apt to perceive, want of justice and fair dealing, on the part of those who thus charge us, originally divided the church, and is every day reducing the glory and strength of its northern section. Where is the man acquainted with the whole subject and capable of the necessary induction of facts and particulars, causes and consequences, who can account for the diminution of the numbers in its

membership from 1844 to 1848, to the startling amount of 118,000, without connecting the fearful reverse with the subject matter of this Appeal? The result cannot be accounted for by citing us to the evils of controversy and the excited passions growing out of it. The South has had its full share of these evils, and yet the increase has, in the same length of time, been over 40,000. With double our population—nearly all the older fields of Methodism—with more than double the number of ministers —with all the funds of the church, *ours* as well as their own—how is this difference of 160,000 to be accounted for? Does it not connect with the fact that the strong public sense of deep injustice done the South in 1844, and since, has detached former public confidence from the northern ministry? Is it not seen and felt, that they have to a most fearful extent, as variously shown in this Appeal, sought a new vocation alien to the christian ministry?—that they are making staples of trifles—beacons of tapers—preaching what Christ never preached, and his apostle rebuked as contrary to "the doctrine of God our Saviour." Has it not been seen and felt, that the heart and pith of things are lost sight of in the merely incidental and circumstantial—that the inner man and immortality of our nature, with the higher interests they involve, have to give place to an adjustment by the church of political and social relations? The things of Cæsar are attended to, with the view and motive, it may be supposed, of ascertaining what is left for God! Other men's business is first attended to, that their own may receive attention at leisure. As preaching against the principles and forms of evil God has adjudged and denounced in his Word has not met their aspirations, why not let other forms of evil, overlooked by heaven, become the

object of attack? Evils spared by the denunciation of Christ, and left unrebuked by his apostles, the more imperiously require attention. Where heaven has given but one side of a question, or furnished but half the truth, why not give the other side and furnish the other half? If the common enemy cannot be resisted in the unbelief, impiety, and blasphemy—the deception, fraud, and falsehood—in the thousand organized forms of injustice, oppression, and wrong—the subjects of condemnation in the bible—let the trial extend to forms and subjects hitherto unassailed; and, although one of recent discovery, what form or subject of evil presents a more eligible point of attack than that of slavery!

We but give the language of their conduct. Failing as we have to resist the enemy at home, let the shame of defeat be lost sight of in the noise and bustle of experiment abroad. The very attempt will "hide a multitude of sins." It will readily be seen that the old antiquated laws of the bible have been submitted to until the progress of the age enabled us to make better. Let character and conscience be compurgated by the chrism of abolition abuse and the baptism of anti-slavery zeal; let there be no stint of cursing and railing; let these be the meaning and presage—the burden of the altar and ritual; let the God of humanity see our new-born zeal in this cause; let the hate of slavery be loved; let all luxuriate in this hate; let this hate preside at the sacrifice of the monster; let its voracious maw be filled to repletion, and its moloch nostrils sated with the incense of the orgies!—the gain and distinction are before us, but proceed cautiously; let the moment and circumstances of attack make it certain that the "blast of a single bugle will be worth a thousand men," or some reverse may spoil all, by showing that a single man is worth all the bugles of the clan!

Grave wrongs justify severity of feeling, and call for its true expression. We appeal to facts in the recent history of the Methodist E. Church. Have not law and order, and the ordinary stabilities and safeguards of government and administration, been gradually giving way and yielding to the ungoverned impulses and movements of passion, change, and experiment, for a series of years? The church north, unless we have misread the signs of the times, has been in a state of actual although informal revolution; and the past of every year has been but the harbinger of still greater mischiefs. There has been no subordination, no power of control in any of the departments. The General Conference—the supreme legislative council of the church—has not only been resisted and denounced by inferior tribunals and its own subalterns, but both have declared its acts "unconstitutional, null, and void." Its own officers, in the shape of editors, agents, &c., have questioned its immemorial rights, burlesqued its action, and set its authority at defiance. Accepting office under pledge of support and fidelity, they have lived upon its money and credit, and laughed it to scorn. Its bishops have but too plainly admitted their inability to administer the government, as established by law and usage;—interest, passion, and expediency have reduced their authority as executive officers to a shadow. Men of age, honor, and influence—the apostles of other days and better times—are laid aside;—it has been ascertained they needed rest! The aspirant and malcontent, the scribbler and declaimer—some without information and others without character, who had to become *distinguished* or cease to be *respectable*—suddenly thrown forward by the impulse of revolution, became leaders, and propounded their *ultimatum* to the church, north and south, with all the dignity

of plenipotentiaries. The usual course and natural order of things have been entirely inverted. Those who have thus had fitful sway in an attempt, without warrant of any kind, to force the church above its generation, have, as might have been expected, sunk it below. The church is controlled by a party, if not a faction; the self-adjusting power of the system is lost; the place and use of things have been disturbed—the vessel is drifting.

There is no want of examples to prove and illustrate our position. The whole and every part of the Plan of Separation has been, to all intents and purposes, a law of the church for the last four years. If this is denied, nothing is easier than to prove that the church never had a law; for it was enacted by the same body enacting all their laws, and with more formality and deliberation than any other that ever proceeded from it. It was recognized as such by all the bishops in their administration, and by nearly all the church, except ruling majorities of traveling Preachers, and the partizan cliques they have succeeded in enlisting in their cause. And how has it been treated by these—those who should have been its faithful administrators? Spurned and trampled upon by high and low, wise and vulgar, preacher and party, in undistinguished revolutionary confusion. No inconsistency has been too glaring—no absurdity too monstrous to be used against the South. In the same breath—the same communication or editorial—the North has been called upon, in the language of adjuration and strong appeal, not to regard the Plan of Separation, and the South not only abused and vilified for not holding it sacred, but for the alleged doing of what they had just *urged as a duty*, we are told it will be necessary to abolish the Plan altogether; and that all title to a division of church property, especi-

ally, is forfeited! By proceeding to nullify the Plan, they proclaim their own offence against right, truth, and history; for it is known to every one of them that, after discounting the whole southern vote, the Plan was adopted by a large majority; and yet they insist the whole should become our liability!

It has been avowed and repeated in a hundred different forms, that the Plan of Separation was only intended to quiet the South *in the church*, and not authorize or in any way admit the necessity of a separation from it, as the language of the Plan and all the debates have led all the world to believe. If there be any truth in this averment, it is an avowal of treachery, hypocrisy, and fraud, scarcely paralleled by any of the bolder villanies known to ecclesiastical history. And it becomes our duty to meet the question directly, and dispose of it by a proper appeal to the facts and history of the case. The late General Conference of the Northern Methodist Church have staked the reputation of the church, both for truth and justice, upon the validity of the plea, and have made it a principal ground of action in the whole of their proceedings against the South. If then we succeed, as we have perfect confidence we shall, in showing the utter groundlessness of the plea, and that there is not a particle of truth in the assumption, but that, on the contrary, it is a gross historical perversion, replete with injurious imputation—without reason, fact, or even a show of plausibility to sustain it,—the result must be obvious to the reader. The fact can be disguised from no one, that it is an issue involving to a great extent the merits of the controversy, and upon its determination will depend "the rise and fall of many" in our divided Israel. It is a direct issue; and by how far it is vital, should the North "rise," the

South must "fall," and *vice versa.* And now let us turn to the evidence.

The Protest, with the signatures of fifty-one southern delegates, and nine from the Philadelphia, New Jersey, Illinois, and Ohio Conferences, declares in language no one ever misunderstood: "If the minority have not entirely misunderstood the majority, the Abolition and Anti-slavery principles of the North will no longer allow them to submit to the law of the Discipline on the general subject of Slavery and Abolition; and if this be so—if the compromise law be either repealed or allowed to remain a dead letter (as in the cases of Harding and Andrew)—the South *cannot submit*, and *the absolute necessity of division is already dated.*" Again, the Protest declares: "The undersigned have looked to the great conservative law of Discipline on the subject of Slavery and Abolition, as the *only charter* of connexional union between the North and the South; and whenever this bond of connexion is rendered null and void, no matter in what form or by what means, they are compelled to regard the church as *already divided.*"

Language could not be more explicit; and it disproves in a manner the most direct and undeniable, the broad declaration of the late General Conference now under review. The language of the Declaration is: "The delegates of the conferences in the Slave-holding States take leave to *declare*, that the continued agitation of the subject of slavery and abolition, the frequent action on that subject in the General Conference, and especially the extra-judicial proceedings against Bishop Andrew, *must produce* a state of things in the South which renders a continuance of the jurisdiction of that General Conference over these conferences *inconsistent* with the success of the ministry

in the Slave-holding States." Here the form of declaration is absolute: "*must produce.*" In response to this, the General Conference says, in the Plan of Separation: "Whereas a Declaration has been presented, representing that, for various reasons enumerated, the objects and purposes of the christian ministry and church organization *cannot be* successfully accomplished by them, under the jurisdiction of *this* General Conference, as *now* constituted; and whereas, in the event of a *separation*—a contingency to which the Declaration asks attention, as *not improbable*,—we esteem it the duty of this General Conference to meet the contingency with christian kindness and the strictest equity," &c. This shows, beyond all possibility of evasion, that the only contingency alluded to was confidently *expected* to occur. The Reply to the Protest, which was ordered to form a part of the journal of the body, and thus becomes its own language, says: "The *proposition* for a peaceful *separation* (if any must take place) has already been *met* by the General Conference, and—*granted all* that the southern brethren themselves could ask in such an event."—Distinctly showing that *separation* had been both *expected* and *provided for.*

The Bishops, in their Address, as early as the 31st May, say, that "as they have pored over this subject with anxious thought by day and night, they have been more and more impressed with the *difficulties* connected therewith, and the *disastrous* results which, in their apprehension, are the almost *inevitable* consequences of present action on the question pending," (Bishop Andrew's case;) and add, that "they seek their justification in their strong desire to prevent *disunion*"—showing they expected *separation* if action was had. Bishop Hedding said, he believed the address of the Bishops "would not make

peace." Bishop Waugh said he had adopted it as "a *last* resort." Bishop Morris said, "he had done what he could do to preserve the *unity* of the body." Bishop Hamline said, "affirming them to be brethren, if they find they must *separate.*"

In the "Debates," published by authority of the General Conference, Dr. Olin says: "With regard to our southern brethren, I hold that if they *concede* what the northern brethren wish—if they concede that the holding of slaves is incompatible with holding their ministry—they may as well go to the Rocky Mountains as to their own sunny plains. I know the difficulties of the South. I know the excitement likely to prevail there. This may be the last time we may meet—I fear it—I fear it—I see *no way* of escape—our difficulties are stupendous, if not *insuperable.*" In allusion to the separation of the South, Dr. Olin said, "We lose our heart's blood." Dr. Bangs said that, from what had been told him by members from the north and the south, "*not a vestige of hope remained.*" All spoke of separation as necessary in view of what was then before them. Dr. Elliott said "*it was found necessary to separate*"—nothing *future* or *contingent* about it. He added, "it was not schism, but *separation* for *mutual* convenience and prosperity"—the North, of course, assenting. Dr. Winans stated, that should the Conference do what was proposed, they would create "an *uncontrollable necessity* that there should be a *disconnection*" of the parties; adding, "Will you *drive us* from the *connexion?*" Mr. Crandle said they were "standing on a volcano." Dr. Luckey thought it "better to *separate* than to have a continuation of strife;" and plead, as a precedent, our *separation* from the British connexion. Mr. Fillmore said, if their mutual fears proved well founded, they must "*divide*

into bands." Mr. Finley said "there was a *great gulf* between" the parties. He said the General Conference did, in the case of the Canada Conference, "*what they now* proposed to do to the South," that is, set them off as an independent church. Dr. L. Pierce said: "Pass this resolution, and all the southern states *are hurried into confusion;* and the brother that would lie down to be trampled upon by such an act of this body, would be regarded as unworthy the office he held. You may put what construction you please upon your acts and doings in this case, (Bishop Andrew's) but you have *passed the Rubicon.*" Dr. Smith said: "The South does not desire *division;* come when it may it shall be *forced* upon us." Mr. Stringfield said: "A *line* is to be drawn by this vote." Mr. Coleman declared, if Bishop Andrew was not laid aside, as proposed, "the *whole North* would become a magazine of gunpowder. You blow up the fortress from its foundations." Dr. Green said: "We have given up *all* that we *can* yield." Mr. J. T. Peck begged that the "great and intimidating *question of division* might be allowed to sleep a few days," at least until the true issue should be understood. Mr. Drake said: "Nor can this course be pursued and the *union* of the church preserved." P. Cartright contended, "they had no authority to *divide* the church." Mr. Griffith contended, that "Delegates sent for other purposes *had consented* to the *separation* of the great body of the Methodist E. Church." Mr. Collins submitted a proposition, "as a *last* effort to bring peace, and save the church from *division.* They were not prepared to throw out anything that would tend to heal *the breach.*" Mr. Porter said, "he did not believe they could *live as one body* with anything less than the substitute," (suspending Bishop Andrew.) "It was of *no use* to dis-

cuss the question further." Mr. Sandford opposed the Plan, "as tending to promote *separation*—opening the door and inviting them (the South) to *separate*." He said it was "an encouragement to *separation*." Dr. Bangs declared his conviction, that "the Conference *could not* come to any general *compromise* on the subject;" and added, "if they must *separate*, is it right to deprive the brethren of the South of their *just rights?*" Dr. Durbin affirmed: "Our rules have been made less and less stringent, and our language less and less severe, because *experience has shown it* to be *absolutely necessary*." Of such "concessions" he says: "Our fathers made them wisely on the *ground of necessity*." He declares "the Methodist church could not have *existed at all* in the south *without them*." He still hoped there would be "no *division*." Dr. G. F. Pierce said: "Whenever the day of *division* comes, and come I believe it *will*, from the *present* aspect of the case." He charged a "ruthless invasion of the constitutional *union* of the church." Mr. Comfort spoke of "*division*" as the subject of discussion, and said "it is urged that *division* will be the consequence." Dr. Winans said, "they had referred several resolutions to a committee relative to the *division* of the church. If they were *to part*, he desired to part in peace." Dr. Longstreet said, the action of the General Conference "must necessarily result in the *separation* of the North and the South." Bishop Hamline said the proposed division "could not be objected to on the ground of *constitutionality*." Dr. Peck spoke of the proposed separation as "a matter which would probably draw after it consequences which would be seen and felt by the *church*, and the *world*, for aught he knew, to the *end of time*." Mr. Fillmore said, all "the southern delegates who had spoken at all (it has

been seen how *all* spoke in the Declaration and Protest,) had declared it to be their honest conviction that the cause of God required *immediate* action." Mr. Crowder said: "The passage of that Report (the reply to the Protest,) would render *division* inevitable." Dr. Luckey spoke of the Plan as providing in an amicable way for the division of the church, and declared "if the *separation* were necessary, it ought to be amicably and *constitutionally* effected, and there was no intention of doing it *otherwise*." Mr. Griffith, speaking of "interior charges" as named in the Plan, said, they were without choice, "if they wished to be members of the Methodist E. Church, *whether* it should be the *southern* or the *northern*." Dr. Bangs, a member of the Committee of Nine, said: "They were *instructed* by the Conference *how* to act in the premises—they were to *provide for separation* if they could do so constitutionally. They had obeyed their instructions, and *met* the *constitutional* difficulty. The South *asked* a *separate* Conference, adapted to the institutions of *that portion* of the country." Dr. Elliott affirmed, that "the churches at Antioch, Alexandria and Jerusalem were as *distinct* as the Methodist E. Church *would* be if the suggested *separation* took place;—to this conclusion they *must* eventually come." Mr. Finley assumed the ground that there was "nothing *unconstitutional* in the Plan. He wished there was *middle* ground on which *both* could stand." Dr. Winans declared "the only proposition was, that they (the South) might have *liberty*, if necessary, to organize a *separate* conference; and it was *important* they should know at an *early* period that they had such liberty."

Bishop Soule, in connection with Finley's Resolution, stated: "Not a doubt remained with me, that the adoption

of the resolution would result in the *division* of the church." Dr. Olin said: "We meet as opponents here—opposite sides." He speaks of the state of things *then* existing as "*this division.*" He says, of the North, "they have taken their position,"—of the South, "they are *shut up* to their principles—the *people would not bear it.*" Dr. Olin subsequently declares: "The provisional Plan of the General Conference was *avowedly based on anticipated necessity expected to result* from the state of *public* sentiment at the South, and from the peculiar relations of the southern church to existing institutions. The only wish expressed or manifested was, that the two great *divisions* into which our Israel hereafter *must be organized*, should occupy positions the most favorable to the discharge of their high obligations to the world and its Saviour." The Doctor adds, in language which we commend to the notice of the future historian of these events, "I shall look upon the Methodist Episcopal Church *as forever dishonored*—I shall look for some *signal mark* of the *divine displeasure*, if, after sufficient time has elapsed to test the insufficiency of all plans of compromise, she shall *decline* to adjust on *equitable* terms, all the questions that *must* arise from the separate organization."

Dr. Paine, chairman of the memorable "Committee of Nine"—three from the North, three from the South, and three from the middle conferences—in explaining the objects and purposes of the Plan of Separation, as reported by them, and to which no member of the committee excepted, stated explicitly, that "they should remain *one people* still, until it was *formally announced* by A CONVENTION of the SOUTHERN *churches*, that they had *resolved* to ask an *organization*, in accordance with the *provisions* of the Report." Dr. Paine added, in further explanation,

that the South felt seriously apprehensive that the "necessity even now (then) existed." And after an announcement so direct, grave, and explicit as this, by the chairman acting as the organ of the committee, and having the endorsement of their public consent, as well as that of the whole body, with what claim to fairness, truth, or consistency is it assumed, charged, and published in the proceedings of the late Pittsburgh General Conference, that the purpose of a Southern Convention, with a view to a southern organization, was the treasonous scheme of southern delegates, *after* the adjournment of the General Conference!

The northern General Conference officially charge upon the southern delegates not only what we prove by their own records to be untrue, but they charge upon us, as criminal, what they themselves had *consented to* by their known official action. To what shifts must not men be reduced before they can resort to such means of aggression as these! It is true that Dr. Paine, and other delegates from the South, spoke of separation as a remedy it might not be necessary for us to demand. For the fact is, that up to the last day of the conference, we were not without faint and lingering hopes that something would be done by the northern party, in mitigation of the offence of their action, which the southern delegates might urge as a reason for further forbearance and delay in the South. Nor was this slight hope given up until the Reply to the Protest was reported to the conference, and adopted by being made a part of its journal. All hope of being able to satisfy the South was utterly destroyed by this reply; and we believe no southern man indulged any after its endorsement by the conference. The reply, by precluding all hope of reconciliation, ren-

dered the breach immortal, and fixed the responsibility of division unalterably where the Protest assumed it properly belonged. And it was in allusion to this fact—the new and startling fact—that all hope or prospect of a satisfactory adjustment or even modification of difficulties was at an end, that Dr. Smith closed the eventful debate by remarking, on the motion to *adopt* the Reply, that "that was what he wanted them to do; for it (the Reply) was what they believed; and he wanted them to sign their names to that paper, and let it go out before the world. They had attempted to gull the public long enough; and he wanted them to show their hands, and tell the 500,000 Methodists at the South what they intended to do."

The southern delegates, now believing—perfectly confident, indeed—that the South would not submit to the action of the conference, but everywhere demand a separate organization, such as had been provided for, resolved to meet the next day, and confer on the subject; and they did so in obedience to the judgment of the conference, who had agreed to leave the whole question in their hands, directly authorizing them to proceed to separation if they thought proper, without the delay of a day, or consultation with any one. Our warrant was: "Should the delegates from the annual conferences in the Slave-holding States find it necessary." We, it is true, having (in the judgment of the General Conference of 1848,) more good sense and virtue than the majority, *declined* the responsibility, as elsewhere shown, but certainly had a right to meet and consult with or without the consent of the other party; but as we met and acted only in accordance with a formal grant of right from them, although not accepted by us, we could hardly have expected to be charged with treason and rebellion for doing what they had given

us full permission to do;—for they certainly did not expect us to decide upon the question of "necessity," without coming together to confer about it, and, of course, gave us *full authority* to act as we did. All this noise and ado, therefore, about this meeting of southern delegates, brought to public notice with so much show and bluster in the late speeches and reports at Pittsburgh, will only convince the sensible reader how useful subterfuges may be, where facts and arguments were wanting!

There is one thing, however, connected with this charge which the reader may not be able to dispose of so readily. In the circular addressed to the South by the southern delegates, they ask attention to the great question of separation, as one calling for the deliberate reflection and action of the Southern Church, *as they* were to decide the question; and for doing this we are gravely arraigned by the northern General Conference, although this enlightened body knew very well, as we show beyond cavil or question, that the allusions to separation in the circular, are by no means as *direct* nor are they in any sense *half as strong*, as those made by northern men in the debates of the conference of 1844! All we said in the circular was directly authorized both by the Plan of Separation and the Debates; and this fact must of necessity involve the authors of the charge, that is, the Pittsburgh General Conference, in a dilemma of much graver import than simple folly. Why bring a charge against us, with a view to our injury by the withholdment of important rights, which it must have been seen and felt would much more directly and justly lie against themselves?

Let the reader look back to the evidence we have just submitted, and he will at once feel the force of our reason-

ing, and see the difficulty in which it involves the adverse party. We take pleasure in admitting, that up to the last day of the conference, 10th of June, 1844, many of the southern delegates expressed the hope that something would yet occur to prevent *final separation.* We have seen, however, that the Reply to the Protest rudely closed all hope of compromise, and utterly destroyed the only remaining grounds on which the South had relied for healing the breach. The Protest had given the majority *full official notice* that if they persisted in their course, division would be the unavoidable result; and in their Reply, they re-assert, as their *ultimatum*, all their most offensive positions, and avow their determination to carry them out in action. This settled the matter. After this no southern man, we believe, intimated to any one or in any form, even the probability of continued union; for we had publicly pledged ourselves in behalf of the southern church and southern interests, as we have shown the reader, not to submit to the course and policy against which we had protested, should they be persisted in. Why, then, the studied affectation of surprise so carefully and adroitly courting attention in the debates and reports of the late General Conference, that the southern delegates should think of separation before leaving New York!

There is, too, in these debates and reports, and has been in northern church papers, an effort, staid and special, to make the impression that they had left the question of necessity to be judged by the people; and this attempt at imposition calls for proper exposure. The impression attempted to be made is, that *they* and the *people* have been wronged by the southern delegates; whereas, the truth is, they did not intend—had no idea of referring the question to the people at all. They made no move

or suggestion to this effect. They left it to the southern delegates; and it was only at our instance the annual conferences were substituted in our stead. The southern delegates alone brought the question before the people without the knowledge or concurrence of the northern majority; and the constant attempt to make a contrary impression ranks among the many startling inconsistencies and false issues we are called upon to expose in this Appeal.

These mis-statements, however, have not satisfied our assailants; they have labored long and hard, in various forms, to make the impression that as far as the people have been consulted, they have failed to sustain the preliminary action of the southern delegates, and are dissatisfied with the new organization. The proof they offer is, that a fractional minority of less than three thousand, found here and there in "various parts" of several different States, have decided the question in opposition to five hundred thousand opposed to them, and in favor of the division of the church!

All the facts and evidence having reference to the related topics now under discussion go to show, that the assumptions and action of the northern General Conference, with regard to them, are utterly unworthy of credit or confidence. We have submitted a mass of historical evidence, endorsed by our accusers as correct, the irresistable effect of which must be to convince every grade of intelligence in the country, that instead of no thought or idea of a regular authorized separation in view of what had *already taken place*, and embracing nearly all the material implications of the final fact as it actually occurred, it is almost literally true that nothing else was thought of; it was the one all engrossing topic with both parties.—

denounce and undo, despite any and everything that might oppose, all that had been done in 1844, in view of the organization so fully authorized and elaborately provided for in the South. This was the one great purpose with which the body came together. And such were the impulsive haste and mad effrontery with which it was acted upon, that, disregarding the claims of truth, justice, and consistency, they proceeded to even the last stage of fatuity in the selection of means to accomplish the unworthy purpose steadily operating as the spring of action. The very unanimity with which they did everything relating to the South—except in the single matter of paying a debt they had admitted and promised to pay four years before—increases the difficulty, by widening the ground of suspicion. Such a perfectly *dead level* of opinion and feeling looks too much like design and preconcertion. When the South was to be assailed, struck at, or plotted against, all *went in* to speed *the going*. A few, it is true, seemed ashamed to take part in the *doing*, but nevertheless appeared glad when it was *done*. No man on the spot, with the means of information we possessed, could mistake the feeling of common joy, while for days together the South was exhibited *in pillory* in this grand bazaar of abolition and anti-slavery.

Let the reader turn to the Debates, and although time or something else has had a most improving effect upon them since delivery, let him look at the charges preferred and the language held in relation to the South—the abuse and badinage, the dull dogmatism and noisy ignorance, relished and *encored* with so much gusto—and he will be the better able to appreciate the convictions and feelings with which we have been driven to the only mode of defence left us. There, and at the time, no opportunity

was allowed the South to be heard in her own cause. The accusers of the South were her sole judges; the whole proceeding was manifestly *exparte*. The accused were not admitted even to the bar of the house. The judges were their own witnesses. Those bringing the charges against us became our triers, and sat in judgment upon imputations we had denied and pronounced false. The authorized representatives of the South were not even admitted to a seat in the body, except as common and evidently unwelcome spectators. The "familiars of the holy office" used the rack with the freedom of their calling, but did not think it worth while, or perhaps thought it best not, to *question* us upon it; and this was no doubt deemed the more unnecessary, as they had among them southern "fugitives" both from "labor and *justice*," who were found as convenient in the shape of witnesses as they proved to be useful in their character of judges. Parts of the work to be done, at least, required special adaptation on the part of the tools; and the body seems to have been signally fortunate in having them at hand. Some other items of evidence and illustration will be brought to bear upon this part of our Appeal, but we prefer to introduce them in another place. On the general topic we are now dismissing, we cannot doubt we have submitted evidence, ample and irrefutable in amount and character, to demonstrate to all unprejudiced minds, that it has been the studied purpose of the northern party for nearly four years—since the proposition first assumed shape and consistency in the "Christian Advocate and Journal"—to deprive the South of all the rights secured to them under the Plan of Separation, and to violate and disown all the plain and solemn covenant engagements entered into with the South, under the formalities and sanctions of that instrument.

FIFTH.—*We charge the Methodist E. Church, North, with grave and deliberate wrong, in the constant effort to make the impression that her course, in view of church law, is a consistent one throughout on the subject of Slavery, while the church, South, is guilty of an entire derelict change in this respect.* In the South things remain on the subject of slavery precisely as they were prior to 1844, both as it regards law and practice. No change has taken place with regard to either; and this is well known to the adverse party. The change is on the other side—is with them; and because we refused to submit to the innovation, and allow them to trample upon law and right as their caprice and fanaticism might dictate, we have fallen under the sore displeasure of these reformers of our old christianity and the former order of things. This is the real *gravamen* of all their accusations against the South, as we intend to show beyond all feasible question. We are not good Methodists because we refused to "fraternize" with the northern branch of the church, in its abolition and anti-slavery *mongering*, in violation of southern rights. This, as Stevens avowed and proved, and the late General Conference admitted by tamely cowering to the declaration and proof, was the real, and in every controlling sense, the "only difficulty." If not, when the case came up upon formal challenge, why was not the contrary made to appear? Then was the time—there the evidence—everything in waiting. The issue was direct—the question vital—and yea or nay, by the body, the only possible answer. And what was the result. It is well known. The standard-bearer of the Abolition party triumphed. The conference succumbed; and, gratefully receiving *the brand* of their *new leader*, bore him in triumph to the editorial chair of Dr. Bond. All this

is perfectly intelligible. No explanation could make it plainer; and the General Conference was thus *driven to admit its true Abolition position*, although it might have been unwilling to assume or define it in more direct form.

When Baltimore *conservatism* became alarmed at the *progeny* of its *own incubation*, and threatened a new church paper, &c. &c., it was an admirable stroke of policy, in the system of Abolition tactics, for Stevens to resign, with a view of making still farther and perhaps more effective use of "glorious old Baltimore." This has since been publicly avowed in the Abolition organ—Zion's Heralds—in the language of defiance; and the threat will be redeemed to the letter. The Baltimore Conference originally brought on the struggle when she might have prevented it, and is fearfully responsible at the bar of public opinion for all its issues. The prospect now is, that no unimportant part of the war she provoked is destined to come off upon her own fair fields.

But to return. There is not a state within the limits of the southern organization that allows the emancipation of slaves, with right of enjoying freedom in the state—as expressly conditioned by the law of the Discipline, as explained and enforced by General Conference authority; and, of course, emancipation is not required even by northern Methodist law, either of the ministry or membership. And it only remains for the church, south, to see, with becoming care and solicitude, that masters and slaves in the church conduct themselves in conformity with the obligations of the bible and their christian profession. It is all we can do, and all we have a right to do as a church. It is all heaven requires of us —having given direct and full instruction on the subject; and if more is required of us by unreasonable men, it be-

comes our duty to resist them. In the northern church, however, it is very different; no such justification can be offered. The General Conference of 1844 *officially decided*, by its aotien in thc case of Harding—and their official organ announced it to the church and the world as correct—that in the State of Maryland emancipation was not only practicable but that it comes fully and properly under the requirement of the Discipline; and indeed, unless such was their conviction, their whole procedure in the case of Harding must have been a dishonest movement from first to last. All this is directly assumed with regard to the laws of Maryland; and yet with this construction by their highest court, no attempt has been made to relieve the northern church of the avoidable evil, and of course, according to their logic, the curse of slaveholding in the Baltimore Conference. But men in various official stations both in the ministry and membership, with some interesting "cases of conscience" in the traveling connection, are permitted, even by an Abolition General Conference, to hold slaves in violation of Methodist law; for they themselves have declared, in advance, that the laws of the state admit of emancipation in accordance with the laws of the church. And after such an exhibition of utter faithlessness to avowed principles—such an absurd self-contradictory abandonment of all and every part of the ground on which they affect to reject the South—such dishonor put upon the most solemn official pledges and declarations—what must be thought of the conduct we arraign? For it turns out at last, after all the denunciation of the press and babble of debate, that the Methodist E. Church, North, is by her own law and action *criminally* connected with slavery, while, by the *same* law, the church south is not! The clear and unequivocal proof

of all this is furnished by their own records and publications. Take the case of Dr. Pierce, the representative of the South deputed to bear the tender of christian salutation to the Northern General Conference, rejected with scorn too bitter even to be civil, because accredited from a slave-holding church, when every member of that conference knew perfectly well that the law of his *own* church protected the South from blame, but covered the North with sin and shame—if their own ethics and declarations can be regarded as reliable, or having any meaning. What good can possibly, or rather what evil must not result from such a course of shameless deception and double-dealing.

The many startling inconsistencies, absurdities, and self-contradictions distinguishing the course and action of the northern party since 1844, cannot fail strongly to impress their true character upon that exchange and intercommunity of thought, conviction, and feeling, in every part of the country, known as *Public Opinion;* and toward which we cherish too much respectful deference not to appeal against the mis-statement of plain stubborn facts and historical verities, open to be known and read of all men. More than fifty members of the northern majority in 1844, voting for the Plan of Separation, and sustaining it as just, constitutional, and expedient, soon after suddenly reverse their position and reject it as having no one of these characteristics! Annual Conferences vote for the change of the restriction, and almost immediately after declare themselves wrong, as well as the General Conference, and grieve that they have not a chance to reverse their action! Opinions and convictions avowed and published in 1844 are, by the same lips and pens, declared to be absurd and ridiculous in 1848!

Dr. Elliott vehemently advocates the Plan of Separation at the time of its adoption, as both scriptural and divinely directed, and three months after insists it must be destroyed, as being neither, but utterly offensive to the good sense and virtue of the whole church, north! Mr. Finley, supporting the adoption of the Plan, affirms that between the North and the South a "great gulf" exists, precluding all hope of their occupying common ground. Not long before, he wrote, "I am a *southern* man in feeling and sentiment, and cannot and will not go with the Yankees in their *divisive* measures. I very much prefer *southern* Methodism, with all their slavery, to the Methodist *politics* of the North, in their *revolutionary* schemes," and yet roundly denies, in his Pittsburgh speeches, that *either was ever* true of himself! Dr. Tomlinson endorses the entire action of the Kentucky Conference in the autumn of 1844, on the subject of the division of the church; votes a resolution of thanks to the Kentucky delegates, for their defence of southern rights in the General Conference; deliberately pens the following resolution, and advocates its adoption by the Conference: "Resolved, that unless we can be assured that the *rights* of our ministry and membership can be *effectually secured* according to Discipline against *future aggressions*, and *reparation* be made for *past injuries*, we shall deem the contemplated division *unavoidable*;" and, notwithstanding all this, employed his logic and eloquence at the late General Conference, and we believe by no means unsuccessfully, to prove that the import and purpose of his own resolution could only have originated in the bosom of some villain, traitor to the honor and interests of the church! These are but specimens—sufficiently humiliating, it is true, but such it seems is the "tribute-money apostacy has to pay to party."

But gravely how, we ask, are these and kindred absurd movements to be explained and accounted for? Can it be done upon the ordinary principles of straightforward correct action? With all our faith in sudden conversions are there not in these, and all similar cases, staggering improbabilities—difficult to be disposed of, if not indeed "past finding out"?

We have already said, and we take pleasure in repeating, that our charges and animadversions by no means extend to all the church, north. We know many noble and every-way worthy exceptions. These exceptions are found, some in the traveling connection, a greater proportion in the local ministry, and still greater in the membership. When, therefore, we speak of the church in this and similar connections, we mean only the church as represented by the majority of its rulers, constituting the administration, as now disturbed and disordered. We know a large (and we believe constantly increasing) portion of the church have little or no sympathy with the conduct we have felt it our duty, under the compulsion of imperious circumstances, thus plainly to review.

By this time, although much remains to be said, the reader is beginning to have a tolerable idea of the wrongs of which we complain; and must ask himself, as we ask him, whether it can be that they are without redress—that in enlightened public opinion no avengement of them awaits their infliction? We look forward to the issue, whatever it may be, calmly and firmly. That we feel the resentment and indignation natural—not to say unavoidable—under the circumstances of the treatment we have received, we readily admit, without any wish to conceal either our opinions or feelings. It has been our purpose to make both known with explicit freedom. We

wish to be perfectly understood by all. We shall, probably, be thought severe; but have we not dealt in facts, and strictly confined ourselves to their necessary relations and inferences? Let the evidence and the reasoning we submit be well weighed, and then let the impartial reader say whether we have done more than call things by their proper names. This it has been our intention to do. We respect ourselves, and do not fear our enemies. Let them rejoice over the destruction of the Plan of Separation. Let them glory in not having kept good faith with us. Let it be seen how they pledged themselves in formal contract, and, when we claim the rights thus vested, how we are shown the *reverse* of the medal, with a denial not only of our claims but of the contract itself. Let them show that what they acknowledged as *debt*, and offered us as an expressly *conditioned* consideration, and without which we should have declined the contract altogether, is refused us, or at least is to be offered, if at all, in a form and upon conditions mocking our rights and necessities, because it is known we cannot accept. Let it be known that our claims have been defeated by the restriction ruse and other means—that we have been vanquished, not by truth and fair dealing, but by evasion and subterfuge. We had the written pledge, it is true, but unfortunately have not yet been able to encounter the meaning of those who gave it;—with some it was one thing, with others another. The same persons of the contracting party, north, made it one thing to-day and another to-morrow. With some the Plan of Separation has been nullified by a power inferior to the one enacting it, and with others it has been—as every act of all preceding General Conferences may, in the same way, be declared to be—a nullity from the beginning. All is con-

fusion, conjecture, and indecision. The only principle of unity among them, as it regards their contract with the South, seems to be an impatient anxiety to avoid the obligation or rather necessity of payment.

We think we have shown, in the light of the clearest and most demonstrative evidence, that the adverse party have in instances almost innumerable denied the obvious meaning, distorted the plainest language, and misrepresented the unquestionable provisions of the Plan of Separation. It has been shown, too, that this has been done under an unlikelihood of circumstances, and with a generality and sameness of ostensible reason, ground, and motive, the almost necessary effect of which is, to subject the whole movement to the suspicion of premeditated unfairness. Or, reasoning upon the assumption of some, that the General Conference of 1844 failed to express its real meaning, and that the Plan as a whole is by no means clear and intelligible in its sense and import, as an instrument of agreement between the parties, how does it happen, we ask, that the South alone is bound by the incapacity of the General Conference of 1844; and that all the advantages, and none of the disadvantages, inure to the North? And to all this must be added the grounds and reasons the South had for distrust and want of confidence, connected with the fact that their *annual dividends, pledged in the contract without condition*, have been withheld without any plea of legal disability or want of right to pay.

The contract says, speaking of the pledged division of the capital stock: "And until the payments are *made*, the southern church *shall share* in *all the net profits* of the Book Concern." Our dividends, pledged in the same way, from the Chartered Fund have been withheld in like manner. And to complete the outrage offered the

South in this respect, the northern Agents have been closely collecting every dollar due the Book Concern from the South for the purchase of books of which we were joint owners with themselves. With the *third of a million* of our money and property in their hands, and evidently intending to hold on to it, if it can be done without public disgrace, and withholding all our dividends both from the Book Concern and Chartered Fund, they are unwilling to leave in our hands even a few thousand dollars of *what they owe us!*

We have alluded to a coalition—a party combination—early after the General Conference of 1844, to assail the right and authority of the General Conference, and utterly destroy the Plan of Separation. On this subject the reader is already in possession of many concurring proofs; and suppose that, in addition, it shall be made appear that about midsummer, 1844, a church editor, west, who up to this date had been zealously defending the Plan of Separation, received notice from New York, in substance, that it had been determined upon to destroy the Plan and crush the South as a "secession," and that he must assist and "be in at the death," or be overthrown with the South for refusing to join in the crusade;—suppose it can be shown that, after a little hesitation and delay, Cincinnati said to New York, "*Bellum hoc!*" and "*Hoc bellum!*" returned from New York to Cincinnati, closed the contract. If an item of this kind should happen to be in proof hereafter, connected with the "secret service" of the ruling party, north, will it or not throw any light upon the subject to which it relates? We allude to what is reported in relation to this item, not to rely upon it in any way, but merely to show how singularly coincident it is with other facts connected with the same subject, about which there can be no doubt.

SIXTH.—*We* EXCEPT *to the course and action of the Church, North, on the Boundary Question, and especially the action avowedly had in view of the Southern construction of the question, and Southern practice in conformity with such construction.* That there should be a difference of opinion upon this subject is natural, and can surprise no one. The language of the Plan is by no means full, and in some respects it is inexplicit. There is, in fact, no specification of any boundary at all. The language of the law is such as not to admit either *state* lines or the old *conference* lines, as constituting the boundary proper between the two churches. It must be perfectly obvious to every one who examines the law, that the old lines are *taken up* without *putting down* new ones, except as contingent and moveable. If this had not been so, any mention of a northern boundary for the southern church would have been entirely superfluous,—as the specification of the conferences must have settled their "northern" as well as southern boundary; all their metes and bounds being definitively laid down, by pre-existing law, in the Discipline.

The fair and necessary conclusion from the language of the Plan is, that the northern lines of the southern conferences—and, of course, southern lines of the northern—were to constitute the mere *basis* of a boundary, to be subsequently settled, irrespective of fixed territorial limits; which moveable or contingent boundary, for it was evidently nothing more, was to remain subject to change and variation, without specific limitation of any kind, until finally settled by *actual* "adherence," north and south, of "conferences, societies, and stations," as required in the Plan of Separation; and the only boundary, and the law applicable to it, are made, in the last resort, to depend

upon such election and adherence. It follows of necessity that there was and could be no established line, nor was any intended or contemplated, except as agreed upon along the nominal border, by adherence north on one side and south on the other, when, and not before, the line was to be considered as settled. According to the plain language and meaning of the law, if at any point on the southern side there was no adherence, then, at that point no settled border line was found, and the North was not interdicted from the exercise of "pastoral care;" and at any point on the northern side where adherence was refused, or had not taken place, no interdict rested upon the South; for by non-adherence, contrary to law, the ground became neutral and was common to both churches. The line was left moveable, and there being *no limit as to time* barring the right of adherence, no other than a moveable character could be given to it, except by adherence on *both sides*, as above, or subsequent conventional arrangement by the original parties to the agreement; and hence the great likelihood of difficulty.

The same general view—certainly nothing more explicit—nothing materially variant from this, seems to have been taken by the Bishops, in council in New York, in 1845. They say simply, "those societies bordering on the line of division;" and prescribe the *mode of adherence* north or south. The law requiring adherence on *both* sides the line (unsettled and moveable by the very terms of the requisition) is *peremptory*: "the following rules *shall* be observed," and then the requirement is specified as binding on *both* sides the line. No evasion or construction can release either party; they are equally and *absolutely bound* by plain direction of law.

The southern delegates very generally, at the time the

plan was adopted, contended in committee and privately for a *fixed* line as every way preferable, but could not obtain it. The majority insisted on a moveable one. Dr. Bond specially interposed to prevent it, urging the difficulties of an unsettled boundary; but it was of no use—they would not accept either *state* or *conference* lines. The motive was obvious. It was supposed a division of the church would not be acceptable to the people, and that large numbers would adhere north. We were a minority and had to submit. We have always regretted the arrangement.

To get at the question of "infraction" by either of the parties to the compact, it is necessary, *first, to notice the important unmistakable fact, that, according to the Plan, no border "conference, society, or station" was under the "pastoral oversight" of either church until after formal adherence by vote of a majority, according to law.* The border portions of the church on either side were left *to fix their own membership* by vote of a majority north or south; and until they did this, they did not, by the law, belong to either church. Nor was it supposed that this could be regarded as any infringement of church right. It was certainly presumed that the border "conferences, societies, and stations" would have their preferences, and be early able to choose between the two churches; and it certainly was a very small matter to settle the question as directed, by *popular vote*, when, in either church, they would immediately come into possession of all the rights and privileges possessed before in the undivided church; and until they did this the Plan plainly contemplates them as not under the control of either church. The law is too plain to admit of cavil. If Northern Methodist Preachers have not understood it, we believe all others will:

"*All the societies, stations, and conferences adhering to* THE CHURCH *in the South, by a vote of a majority of the members of said societies, stations, and conferences,* SHALL REMAIN *under the* UNMOLESTED *pastoral care of the Southern Church;—it being understood, that the ministry of the South reciprocally observe the same rule in relation to stations, societies, and conferences adhering by vote of a majority to the Methodist Episcopal Church.*"

And again:

"*This rule shall apply only to societies, stations, and conferences bordering on the line of division, and not to interior charges, which shall, in all cases, be left to the care of that church within whose territory they are situated.*"

From the language of this law the good sense of the reader will fix upon two conclusions as inevitable deductions. 1st. Neither church, by the Plan, has any control over the border portions of the church, except upon the ground, and in virtue of "adherence," as prescribed. And, 2nd, until such adherence, these border portions were considered as territory not belonging to either party, but common to both, so far as the law is concerned. The language of the law respecting "interior charges ..... within *whose* territory they are situated," was clearly intended to show that the border sections were in an entirely different category from the other territory defined in the Plan, and could only become the property of either by adherence. The border territory, therefore, after the enactment of the law, and before adherence, constituted neutral common ground, the occupancy of which *could not* be a trespass by either party. No conference, society, or station, not having adhered as the law required, could possibly, without the most preposterous absurdity, claim the protection of the law. Such non-adhering par-

ties had no claim upon either church, because by law they did not belong to either. So far as the law is concerned, by finally refusing to adhere, north or south, they became a *secession*. Trespass, therefore, upon such ground, was impossible; and to charge it is as unmeaning as it is absurd. It is to charge what law debars, and the nature of the case precludes. We maintain, therefore, and have full confidence in our ability to establish it before any tribunal that may ever have cognizance of it, that the charge of trespass against the South within the limits of the Ohio or any other "conference," or in connection with any "society" or "station" which had not "adhered" north, according to law, involves all the injustice and blame of "false accusation," without even decent excuse for the injury,—as the law is so plain and direct, that he who has seen it, and knows *anything* about it is obliged to know, that what we state is at least substantially correct. The offence charged could not take place; it was a legal impossibility. The result is precluded by the stern conditions of law. What, for example, is the prohibition binding us, South? It is that we shall not attempt "pastoral oversight," or anything of the kind, in "societies, stations, and conferences adhering, by a vote of a majority, to the Methodist E. Church." Nor have we done so in any instance; and we can go into any court in the nation and prove the truth of the denial,—the findings of the huge "Committee of Forty-six," General Conference resolves, and Episcopal certificates to the contrary notwithstanding.

When we press the charge of infraction upon the North, however, they can make no such defence. They know and are compelled to admit their violation of the Plan. We have proved the fact in two enlightened

courts of justice, and can do it any number of them. Take Cincinnati as an example, and, with all the special pleading of the Pittsburg General Conference to prove trespass by the South, we should like to know how even the question could arise so as to be entertained in the mind of an enlightened court. The Ohio "Conference," and all the "societies and stations" in it, in direct disobedience to General Conference law—in bold defiance of an authority which they, in the language of their own resident bishop, had pronounced "supreme," and the "all in all" of Methodist Church power—had doggedly refused to adhere first and last; and this act, as we show, incontestibly removed all the restraints of law, with regard to the South; or rather, the restraints never existed, as they could only apply where adherence had taken place, and no adherence having taken place in Ohio, infraction was impossible.

We can, however, defend the southern administration in the case of Soule Chapel, on other and independent grounds; although the single position we have taken, and intend to sustain, overthrows the whole labor, and annihilates every charge of the Northern General Conference on this subject. We have written proof, explicit and ample, from the Missionary Board itself, showing that they had given the Rev. George W. Maley, missionary of the Ohio Conference for the city of Cincinnati, permission to occupy (and, of course, establish a society at) *Vine street* church or chapel. We can prove that Bishop Hamline's famous, or, as the Northern General Conference would say, "so called"—"districting" of the city into exact geographical sections, to *fence in* Soule Chapel north, was *ex post facto* after the fact of adherence at Vine street. Or, if it be preferred, we can show what all

well-informed Methodists know without our doing it, that had Bishop Hamline done before the fact of adherence south at Vine street what he did *after it*, by the law of the church, it was of no more validity than if it had been done by his butcher or tailor; in a word, that a bishop has no such right or power, derived from either law or precedent.

We are not disposed, however, to burden this Appeal with trivial matters, upon which very little stress will be laid by those having a proper understanding of the whole subject. We prefer relying upon those views and facts which give character and significance to the question in dispute. Could we persuade ourselves that it is necessary, or called for by the real merits of the question, we should reply to the almost interminable list of northern imputations *in extenso;* and we decline doing so, for the present at least, because the tribunal before which we summon our accusers will, we are confident, make up its judgment upon the main points of the controversy, without reference to unimportant details. Meanwhile, we give notice to all, that we shrink from no examination of particular charges of trespass. Such an examination as we are prepared to subject them to must, at any time, recoil with damage upon our accusers. Let the case of Batesville, Arkansas, be selected. How will it look, should we have to prove in court, that a larger number of persons are claimed by name as the northern minority, than was found in the whole church at the time,—even including the well known southern majority! An affair so small at best, presented to public notice with such swollen dimensions, cannot fail to render the exaggeration harmless, if not ridiculous, especially as the northern party there has since gone south! Similar impositions have been

practiced with regard to Kentucky northernism. Assuming the General Conference to believe their own statements, they were sadly imposed upon. At one point some seventy names were obtained under false pretences; at another the names of children under ten years of age swelled the "nearly three thousand" list! and much more might be shown to the same effect. What must be the strength of the cause needing such means to support it!

The numerous complaints and charges connected with the Baltimore and Philadelphia Conferences, and so deploringly emphasized in the proceedings of the late General Conference, North, nearly all come under the category of *non-adherence and no right*—as shown in the case of Ohio—and, so far as the law (the Plan) is concerned, must and will be thrown out of court. The parties, north, had disinherited themselves of all right in the premises, by refusing the protection of the Plan. By refusing to obey the law, they deprived themselves and the whole church, north, of any right of complaint under the law. And with regard to any instance of alleged trespass, not embraced in this category, it can be shown, whenever it becomes necessary, not to involve the administration, south.

Let this view of the subject be borne in mind by the reader, as the only natural and allowable construction of the law, and what becomes of the whole array of alleged border infractions, by the South, figuring with such ominous plausibility in the *presentment* of the Northern Bishops, and the finding of the Grand Jury of "Forty-six"! This whole paraded array of irrelevant specifications can have no final effect, beyond the discredit it must inevitably reflect upon our accusers. The imputations are made by the very authority, and principally by the very men giving

birth to the law—by the very bishops who had officially announced to the church and public, that they regarded the law as of "binding obligation, so far as their administration was concerned." Now, we ask, did not these men know that, *by their own law*, the border "conferences, societies, and stations" were under *no church jurisdiction* until, as the law required, they had "adhered" north or south? Who can believe they did not know it? Does not the law say as plainly as anything ever was said, that the jurisdiction of the undivided church *ceased* upon the adoption of the Plan, and that all the border portions of the church were left to choose between the two general jurisdictions into which the original one had been divided, by the enactment of a special law for this special purpose? Knowing, then, as these bishops and the Pittsburgh General Conference must have known, and as we show they could not help knowing, that there existed no church jurisdiction whatever over these border societies and stations, and that none *could* exist over them until after adherence, as the law expressly conditioned; knowing further, as they all did, that they had not "adhered," and did not—could not, under the provisions of the law—belong to the northern jurisdiction, and therefore left the South free from the only restraints of which infraction could be predicated;—knowing all this, as all the world will decide they must have known it, how, in the name of common sense and common honesty, could these men prefer the charges they have against the South! Did our accusers believe their own charges? If they did, the reader will have no difficulty in perceiving what will be the kind and amount of *credit* claimable in the case. In any event, they must have presumed largely upon our tameness or incapacity. We confess ourselves at no lit-

tle loss to understand them. We are inclined to the opinion, however, that the whole movement was a stroke of policy—a *coup de main*—exhibiting a rare combination of special pleading and official denunciation, intended to intimidate the South, and divert public opinion from the real character of their movements against the rights and claims of the southern church. It will be seen at once that their management of this border question is in perfect keeping with their other movements already under review; and it is our business and purpose to show how inconsistently as well as unwarrantably, they have conducted themselves in relation to it.

We have seen that the Plan of Separation gave merely the *basis* of a line of division, and left it to be fixed and adjusted by the contingencies of "adherence," north and south. We have seen, too, that the northern party early resolved there should be *no boundary* according to the Plan, by refusing to fix it by adherence. It has likewise been seen, that this left the South without any border line to infract,—their rights to the neutral border ground being equal to those of the North. And these things being so, no one can help seeing how utterly—how worse than futile must be the imputation of infraction; as the very terms of the law and the facts in the case show the offence charged to be impossible. To make such imputation, therefore, against the South, one of the principal grounds on which to declare "null and void" a legislative contract which not only authorized the separate independent self-government of the Methodist Episcopal Church, South, but invested it with rights and immunities over which the legislature making the grant can have no control or right of reclamation, shows a want of considerate self-respect and high-minded integrity—if not a criminal purpose of

injustice—which must be taken into the account in any impartial estimate which may be formed of the character and motives of a party resorting to such a course of action. And we accordingly *except* to the conduct of the church north, with regard to this border question, as an additional instance of gratuitous injustice toward the South, and especially in the preferment of the charge of infraction; when the party bringing the charge must have known that their own misconduct, in trampling under foot a plain law of the church, had destroyed the *only condition* of law upon which infraction could take place,—the law itself giving the information, that the circumstances under which the South are charged to have done the wrong rendered it impossible that the offence charged could have been committed!

Let the reader—any one—turn to any given point of the basis-line of the Plan of Separation, and, with the law in his hand, say how is it possible even to conceive of trespass unless there has been actual adherence at that point in the *opposite* directions of north and south. The law makes such adherence, north and south, essential to the very idea of trespass. The law gives the basis of a border line, and evidently contemplated the *early* adjustment of a fixed boundary; but this has been prevented, by the refusal of the North to obey the law, by adhering in accordance with its provisions. The churches have been without a border line between them only because the North refused to fix one. The fault is wholly theirs. The sin belongs to the North exclusively. And what, after the evidence submitted, must be thought of the paltry fraudulent attempt to fix upon the South the charge of the lawless misconduct we prove them to have been guilty of themselves. But for

elaborate report promised by Dr. Peck in behalf of the Committee of Forty-six, there should be anything not substantially anticipated in this argument, we pledge ourselves, in behalf of the southern church, it shall be duly met and properly attended to. As the northern party have seen proper to annul the law which was the rule of action with them as well as the South, we, in turn, intend to show that they declared it null, because they knew themselves guilty of its violation and accountable for the consequences, and had other ulterior objects to accomplish by this ridiculous attempt at nullification. The real and final effect of their conduct will be to deprive themselves of all right under the Plan, while the rights of the South, as a question of equity remain unaffected, and will be asserted and maintained in a form not to be affected by any repetition of the duplicity and double-dealing by which we have been misled and kept in suspense during the last four years.

SEVENTH.—*We except to the course and action of the Church North, in numerous instances of wrong and grievance, not reducible to any specific class of offence, but tending directly to prove and illustrate all the different charges found in the series of exceptions constituting the substance of this Appeal.* As the first item in the miscellaneous list we propose, we ask attention to the evasive anomylous action of the Pittsburgh General Conference on the subject of "Arbitration." It has been extensively published north, and is generally believed, that the General Conference proposed *to the Southern Commissioners*, who were present, to settle the property question in dispute between the parties by arbitration. Such, however, is not the fact. No such proposition was made to us, nor was anything of the kind done or intended, except

upon the occurrence of remote and *improbable* contingencies, the non-occurrence of which it was doubtless supposed would save them from all farther trouble on the subject. The General Conference—true to the *instincts of the party* for the last four years—instead of *instructing* and *directing*, are careful merely to "authorize" the Book Agents to consult counsel, and then act at discretion in the premises. If the agents—not perhaps a very "disinterested party—should think it unsafe or not best, upon advice of counsel of their *own selection*, then and in that event, nothing is to be done. The Conference will not judge or act themselves, but say to their agents in the language of cautious intimidation, they *may*, if they regard themselves safe in doing so. This is all that can be found in the first resolution. The second resolution merely directs that if no action could be had, upon the ground of the first, and the Southern Commissioners should bring suit, then the northern agents are authorized to offer a "legal arbitration," not *in*, but "under the authority of court." That is, when their never ending evasions of law and right, drive us into court for redress, if we will only be so obliging as to come out, they will settle with us, in a less *expensive* form! Such extra justice and rare magnanimity by "ministers of the Lord Jesus Christ," such touching specimens of "our common holy christianity" must prove not a little embarrassing, and must place us poor commissioners in behalf of the South, quite *hors du combat!* The third resolution, leaving every thing to the agents, says that in the event of no arbitration offered by the agents, and no suit brought by the South, the Conference recommends the Annual Conference so far to suspend the sixth restriction as to authorize the agents to submit the "claim" of the South to arbitra-

tion. There is nothing said intimating an admission, that what they promised to pay four years before, as one of the fundamental conditions of separation, ought to be paid; and that they were only in search of ways and means, but on the contrary there is a virtual denial of claim, as formerly admitted by themselves, and the claim itself has to be arbitrated, if the Annual Conferences will consent to allow such a course!

The most material feature, however, in this resolution, is the direct admission in terms, that the General Conference has no right or power to arbitrate the question, and of course could give none to their agents. What must be thought of the dignity and sincerity of a body of men who officially claim public approval for proposing to do, what they expressly admit they have no right to do! Can such official shuffling, however disguised, mislead any one, who can be supposed to understand its true character! The whole movement was evidently a studied strenuous effort to avoid settlement with the South on any terms. It was seen that it would at least postpone and embarrass settlement. That it would call off the public mind from the true issue, until they could arrange plans of operation for further aggression upon the South, especially where the sceptre of Abolition was to be swayed over Southern territory, and Northern party factions called churches formed on slave territory "but not of slave-holders," as avowed on the General Conference floor—thus insolently avowing the policy of entering the South, with the view of arraying the non-slaveholding population in the different States, by making as avowed a separate *caste* of them, *against* that portion owning slave property, and not to be admitted to their communion, except as they become *Abolitionists.*

In the preamble to the resolutions under notice, two things are particularly worthy of note. It is a little singular that before proposing their perfectly non-committal project of arbitration-no-arbitration, they connect the movement with the high obligations of christianity, and what the "whole christian world will expect" of them, and after this affectation of justice and high mindedness, by no means to be inferred from their former action, they proceed to inform us in substance, that in the absence of any sense of obligation to divide the church property with us as "mutually" agreed in 1844, they will, if compelled, adopt "the most peaceful measures" in view of settlement! What was this appeal to the sanctions of religion intended to cover? The reader may have some difficulty in answering the question to his entire satisfaction. The other item to which we allude is less difficult of construction. It is a plain distinct admission of what is roundly denied by the Conference in another of their adopted Reports—that the Southern organization took place in accordance with the provisions of the General Conference law. Hear the Report: "The recommendation of the General Conference at its last session in 1844, to change the sixth restrictive article so as to allow of a *division* of the property of the Book Concern *with* a distinct ecclesiastical connection, which *might be* formed by the thirteen Annual Conferences in the slave-holding States." Hear the same Report further. "The thirteen protesting conferences in the slave-holding States *have* formed themselves into a separate and distinct ecclesiastical connection"—thus showing that the declaration elsewhere, that the Southern organization was the "sole act of the Annual Conferences in the slave-holding States," is a libel upon their own statute book not only

for 1844, but also for 1848. This "so called" proposition to arbitrate, is uniquely curious in nearly all its aspects. It is so completely made up of conditions, shifts, and evasions, it is difficult to keep it in the mind long enough to analyse and detect its falsehoods. "If" legal advice should so decide—"if" the Agents themselves are "satisfied"—"if" their "corporate powers will warrant"—"if" they find they have not power—"if" legal advice be against it—"if" suit be commenced, then, "if" they choose, they can offer a legal arbitration—or of course let it alone, and with the warrant of indemnity before them, declare the whole movement "null and void!" The chances of escape, however, are not exhausted. It is found the General Conference cannot do what they had seemed to do: with no right themselves to arbitrate they can confer none, and hence new difficulties—"should" the agents find they are not authorized—"should" the South not commence suit—"then and in that case," they recommend the Annual Conferences, not to authorize settlement and payment according to contract—but to permit arbitration—the arbitrators to say whether the General Conference shall keep faith and contract with the South, as pledged and conditioned in 1844!

Finally, "in the occurrence of the above specified *contingencies—all* of them of course—when even the mathematical improbabilities in the case must have amounted to an indefinite postponement of the whole question in the minds of the body thus legislating—then the Bishops are "requested" to bring the matter before the Annual Conferences! And suppose the Annual Conferences consented to an arbitration, and "eminent legal counsel" advised against it, in that event of course

agents would not act upon the permission of the Annual Conference, and the whole would be a nullity. Or, suppose counsel and agents went for arbitration under the quasi grant of the General Conference without consulting the Annual Conferences, then by the declared judgment of the General Conference we should have a nullity again, as the right is assumed to be in the Annual Conferences exclusively. There is no ground of trust in any respect in which the subject is presented, upon which the South can repose without the fair probability of being further deceived. Say that the Annual Conferences consent to arbitration in 1849, what reason have we to believe they would not reverse the decision in 1850? They promised an equitable division of the property with us through their "supreme" representative council in 1844, and denied the obligation in 1845, and how far will this go to show they are likely to keep faith in future? Or if *they* should, what security have we that the next Northern General Conference would not undo the whole, and declare it "null and void" should the arbitration be favorable to the South. We had their public pledge in 1844, and have found it good for nothing, and what is going to make it any better in 1848, or subsequently? Must the fact that we have been deceived by them once, be received as a good reason why we shall not be a second time? What can be seen or found in all this to give us confidence? We contend with a party "doubly armed." If they pledge and promise us, as a General Conference, they release themselves in Annual Conference, where the same men re-appear as a separate disinterested party! The constituents refuse to be bound by the official acts of their representatives. The representatives repudiate their own acts, by resolv-

ing themselves, in Annual Conference, into the common constituency! We cannot trust men or movements of this description, and do not intend to be deceived by either any further. The General Conference repudiate because, as they tell us, the Annual Conferences so decided, and when we remind them of their dishonored faith, they refer us for remedy to the Annual Conferences! The nullification force at Pittsburgh, has not alarmed us so much as to induce us to concede important rights in order to be informed by arbitrators whether we have any! So far from this, we intend the movement shall be of service to our cause. By declaring the Plan "null and void," *because* "violated" by the South, they admit the *compact* character and *treaty* rights of the Instrument, and the Nullifiers are thus held to the responsibility of the original contract, unless they make good their charge of fundamental violation by the South, of the probability of which the reader by this time will be able to judge pretty correctly.

The objections to this whole arbitration movement, are many and weighty. It proceeds upon the assumption, that the Plan of Separation is legally extinct, together with all the rights and claims created under it. This is presumed because of the lawless violence with which it was proceeded against by the Pittsburgh Conference, declaring it "null and void," &c. We have seen, however, that many of their declarations and acts had no foundation in right, truth, or reason, and we regard this as equally destitute of right or force. Its actual validity, as a source of right and obligation, is not affected by the bad faith of the repudiating party. It does not exist it is true in the *same* relation to the parties that it did before the defection of the North in the faithless act of its repu-

diation, but it does exist in full validity for the protection and vindication of all the rights and claims of the South, guaranteed by it, and in this respect it will effectually bind the North, while their want of good faith to its terms and conditions, releases the South from its observance as a contract with those by whom it has been violated and dishonored. We cannot therefore admit the assumed invalidity of the Plan by a resort to Arbitration. There is another view of the subject, which renders it impossible we should have any confidence in this arbitration movement. Every one must perceive, that it cannot, under any circumstances, be invested with the high moral sanctions giving weight and character to the Plan of Separation, and as these were all disregarded by the party, we cannot of course trust them, when it is obvious that no such force of obligation can be brought to bear upon them in any subsequent instance. Judging from the past, we do not believe that any such arrangement would either satisfy or bind the party, and we are thus left without security as before. But apart from the General and Annual Conferences, should we consent to the suggested arbitration, (for we do not believe the party ever intended to *propose* one), what reason have we to suppose that the "Agents" in whose hands the question is left most adroitly, would pay any attention to it? the express order of the General Conference of 1844 to pay us our dividends, as we have seen, was treated by them with contempt and defiance, and the Agents rather than depart from the party policy of the Church preferred subjecting themselves personally to *an action of Trover*; we have, therefore, no ground of confidence in this quarter. Or let us take a different view of the subject; assume that the General Conference and Agents are both disposed to act

upon the suggestion, how long, we ask, is it likely the disposition will continue? Suppose the Church Editors shall give notice a month or two hence that this whole arrangement is premature and unauthorised and shall carry the ruling party with them as they did in '44? having done all this once and been rewarded and honored for it, what is the likelihood they will not repeat the experiment and with equal success? we have seen too much of all this to become a party to our own deception by trusting the actors again.

It must be borne in mind too, that it is proposed to have the arbitration with us as a *secession* unprotected by law. Our position on this subject is well known and we commit ourselves to no action or inference tending to such an admission. We should regard all negotiation upon such a basis as utter self-degradation; we cannot bring ourselves to think of it. We claim our demand upon a plain contract, as a contracting party, equal and independent. If our claim be met, well; if not, we charge injustice and shall seek redress in the form we deem most proper under the circumstances. To arbitrate as suggested would be to unsettle entirely and formally relinquish our claim as conceded and established in the Plan of Separation. We were original common owners with those who now hold the property, and our claim to a "pro rata division" was considered and admitted *before* Separation and as one of its conditions. It was agreed we should separate with the right of partners; we preferred our claim in form and gave notice that before Separation, and in view of it, provision must be made for its adjustment, and it was provided for accordingly in the Plan; and after all this we are called upon to submit to Arbitration! The adverse party destroy the Plan—deny

the contract—disown the debt, and tell us if they are to be annoyed with claims, if nothing else will do, then they will see; *perhaps* an arbitration will be proposed!

Among other grounds of distrust with regard to the intentions of the party connected with arbitration, is the fact that with a self-inconsistency too palpable to be overlooked by any one, after the most formal and ceremonious "destruction" of the Plan of Separation, declaring it to be as though it never had been, and themselves released from all "obligation" to observe any of its provisions—after all this, as if conscious that they had done too much or perhaps nothing at all, evidently in doubt which, they proceed with a painfully fastidious formality avowedly to base the arbitration of the property question upon the specific provisions of a law declared by themselves to be *extinct*! If they feel or admit no "obligation" to meet the claims of the South upon the basis of the Plan, why do they enumerate its terms and conditions as the ground of action? Did they honestly believe the Plan of Separation was "null and void", was "destroyed" as they had declared by public solemn resolution? If they did, then who can believe them sincere in the matter of this arbitration report, which avows action upon what is declared not to exist; we should like to know the "sense" of the Body with regard to this movement. Was it supposed that public opinion could be conciliated by a *show* of compliance with a repudiated contract? should the reader reject the idea of such a motive, the task will be his to furnish a more plausible one.

Another objection to arbitration is found in the fact that there are great preliminary issues to be settled, and settled adverse to the South before their claim can ever be put in jeopardy under the Plan. For example, if we make ap-

pear, as we are confident we shall, that the vote of the Annual Conferences, so far as *legally* taken, gave the required constitutional majority in favor of a division of the property with the South, it could hardly be expected that we should unsettle the question and subject it to a more doubtful determination before a board of irresponsible arbitrators. We shall prove beyond all legal exception, that the question was only lost by "blunder" and "evasion" as heretofore explained, and that *the constitutional majority of all the members of all the Annual Conferences "present and voting on the question,"* voted for a change of the 6th restriction with a view of giving the South their property; and we shall prove that this was known to the Pittsburgh General Conference, when they reported a contrary result. The truth is, and it is important it should be noted, that the General Conference had no right or jurisdiction in the case. The contract was beyond their control. It had passed out of their hands having been officially confided to commissioners and agents. The Plan makes it the duty of the agents to ascertain the decision of the Annual Conferences and act accordingly in conjunction with the commissioners. The General Conference had nothing to do with it.

The Plan says:—"Whenever the Annual Conferences shall have concurred &c., the *agents* of New-York and Cincinnati *shall*, and they are hereby authorized and directed," &c., making it the plain and obvious duty of the agents to *ascertain* the vote and *act* upon it. It is by necessary implecation made a part of their official business, and they are responsible for its faithful performance. The General Conference of 1844 confided the business to the agents and commissioners without any reference to a future General Conference, nor was it competent for the

General Conference or Bishops or any other authority to decide the question. The decision according to the Plan rested with the agents and commissioners; they are required to execute a given trust upon the occurrence of a specified contingency, and the law makes it a plain part of their duty to ascertain and judge of the facts with regard to that contingency and regulate their actions accordingly. They were *special* agents in trust to attend to this independently of any future General Conference of the Church North or South. That trust in our judgment they betrayed by not performing their duty, and are chargeable with a large share of this whole church difficulty beside the legal responsibility to which it is our purpose to hold them. They knew, every one of them, that both by intention of the Annual Conferences and every fair construction of law, we were entitled to a division of the property, and they were authorized to make it. But instead of this they take shelter under the flimsy and scarcely colorable pretence that no body had reported to them the result of the Annual Conference vote! whereas it was plainly their duty to inform themselves by application to the secretaries of the several Annual Conferences. In fact they were informed, for the secretaries, in the instance of each Annual Conference, published the vote in the official papers of the Church. And the Ohio, Baltimore and Philadelphia Conferences *gave notice that they had not voted against* a division of the property. Now let us see what change or alteration of the sixth restrictive rule was called for in order to justify the agents and commissioners in settling with the South. We quote the language of the Pittsburgh General Conference:— they say "to change the sixth restrictive article *so as to allow* of a division of the property with a distinct ecclesiastical connection which

might be formed" in the South. The notice given by the Ohio, Baltimore and Philadelphia Conferences was that they *intended this*, and it follows irresistably that although hese Conferences did not vote the change in the *form* proposed, yet they did vote it by declared intention, in the only form *necessary* to a division in the judgment of the late General Conference; that is, "*so* as to allow of a division of the property." This as before seen was sufficient warrant for action; the agents and commissioners however, declined action, and thus became a party to the injustice of which we complain. Knowing our right to a portion of the Church property to be unquestionable on moral grounds, regarding our claim as safe even under the Plan of Separation, and having no doubt about it in legal equity, we cannot consent to trifle with our rights and reputation, and the many important interests involved, by subjecting them to a mode of settlement utterly inconsistent, as we conceive, with the justice and equity of a claim once formally admitted and its payment provided for by the adverse party. It is proper to remark too, in this connection, that the Southern commissioners informed a committe of the General Conference, by whom they were invited to an interview, that they could not arbitrate or negotiate in *any form off the Plan* of Separation, and the resolutions respecting arbitration were passed with the knowledge that the Southern commissioners could not act upon them. It was known that no such proposition could be entertained if made. Why then was such action had by the Conference? why not content to say a proposition to arbitrate would have been made, had it not been forstalled by information from the commissioners South, that they had no authority to entertain any proposition except as carrying out the provisions of the Plan

of Separation? When this fact is connected with the perfect state of *equivoque* in which the question of arbitration is left by the resolutions of the Conference, we may be the better prepared to judge of the motives and policy giving them birth. It answered the purpose of enabling them to recover from the shock occasioned by the expression of public surprise and indignation. Time was what they wanted, and they obtained it. One of their own favorite editors, elected as Dr. Bond's successor, pronounces it a "humbug" throughout. Dr. Elliot in his first editorial after the General Conference intimates that it is something or nothing as they may prefer; that *something* had to be done, and this was the *least* they could do! Incidental party advantage was all its supporters expected from it, and the reader must perceive we have already devoted to it more attention than it deserves, in any aspect in which it can be viewed. It is perfectly of a piece with all that had gone before, preparatory to depriving the Southern Church of her rights. The family likeness is distinct, and the offspring wears the type of its parentage too plainly to mislead any one. Before dismissing the topic, however, we call attention to a few additional facts and inferences connected with this arbitration movement. The report represents that the claim of the South had to be decided upon by the Annual Conference before it could be admitted and paid. This assumption by the General Conference is essentially incorrect, and withholds the truth and facts of the case from the public eye; the right and claim of the South to a *prorata* division of the property were admitted in 1844, and payment promised and provided for in detail; some doubt, however, being entertained about the right of the General Conference to use the fund of the Book Concern without the consent of

the Annual Conferences to remove all difficulty *and render payment prompt and secure*, the latter were requested so to change the sixth restriction, in the language of the late General Conference, "as to allow of a division of the property of the Book Concern." The *right* or *claim* of the South was not submitted to the Annual Conference in any form, nor was anything of the kind ever intended. So far from this, upon the recognition of our *right*, the *claim* had been fully admitted and payment formally provided for, as one of the essential conditions upon which we were to separate. The Report, therefore, wholly misstates the facts, and the justice of the case is utterly perverted by the very terms in which it is stated. The Annual Conferences were consulted to enable the General Conference to *pay a debt* contracted by adopting the Plan of Separation. To represent, therefore, as has been done by the Pittsburg General Conference, that the question of *right* and *claim* had been submitted to the Annual Conferences for their approval, and rejected, is a statement as destitute of truth as the whole movement is irreconcileable with honor and fair dealing. If the reader will turn to the Plan or contract of Separation, he will perceive at once that its language and intention are alike perverted both by the General Conference Report and the Pastoral Address of the Bishops in behalf of the Conference. The Bishops evidently lend their influence to make the impression that the *claim* of the South to a portion of the property is, to say the least, doubtful. They say they are disposed to meet our claims "*if* they are founded on justice and equity; and this after the *admission* of our claim *upon settlement* had become their *debt*! The action of the Annual Conferences did not touch or affect the claim; the question of right was not before them. That

matter was settled by the General Conference of the whole Church, before the Southern Delegates ceased to be a part of it. It was secured by contract in the enactment authorizing us to separate if we saw proper. Assuming the General Conference then, to be sincere in the movement toward arbitration, we prove that the proposition is based upon a *false issue*, as dishonorable to themselves as it is injurious to the South. They deny their debt and obligation to pay, under color of Annual Conference action never had—under pretence of a decision by the Annual Conferences upon a question never before them, never submitted to them, directly or indirectly! How the Annual Conferences will receive and relish the imputation of having acted the silly part of deciding a most important question never submitted to them and over which they had no control, we are not prepared to say; but as the parties are equally interested, and it is all in the family and they are known to go against the South with "great unanimity," it is not likely the Annual Conferences will protest very strongly against the injustice and folly of which they have been guilty by the snowing of the General Conference. The Annual Conferences however, are evidently not guilty in this respect; they did no such thing as that alleged by the General Conference. A majority of all the members of the Annual Conferences, although they failed to vote it formally, have publicly declared their *will* and *wish* that we should have our share of the property as accorded in the deed of settlement, and the glaring, false issue and consequent deception in the case, belong to the General Conference. That body labored long and plausibly to show how anxious they were to deal justly and fairly with the South; and a part of the process was to disguise the real character and *status* of our claim, and

throw its rejection upon those who had nothing to do with it. They attempt most studiously to make a merely *mooted*, when they knew it to be a *settled* claim, admitted by themselves; and upon this false assumption proceed to embarrass all adjustment, by proposing vague alternative modes of settlement, not one of which could possibly be *final*, before the next Northern General Conference in 1852! To prevent and preclude a fair adjustment would seem from their conduct to be their only object. Weakly and wickedly destroying the Plan of Separation, so far as the imbecility of the attempt admits the idea, declaring "null and void" the law under which the Southern Commissioners were created and accredited, and upon the basis of which alone they were authorized to act. Knowing that the parties could not come together after its destruction, and that nothing could be done, having destroyed their *own bond to pay* and called for the evidence of our claim; under these circumstances of irresponsible "runaway" indemnity, we are mocked with the professions of kindness found in the Report! No attentive observer of the proceedings of the Northern General Conference could help perceiving that the lean arbitration majority in that body, calculated largely upon the effect the movement to arbitrate would have upon the public mind. It was evidently supposed that the measure would greatly embarrass the South, and that we could not *accept* or *decline* without placing the North upon vantage ground in the final settlement of the property question. It was seen that the antecedant presumption of fairness and liberality usually furnished by a proposition to arbitrate, must make in their favor, and would probably deter the South from bringing suit, should nothing else result from it in furtherance of their wishes. If we accepted the propo-

sition to arbitrate, *should one ever be made*, (a question the General Conference was careful not to settle), it was seen we must decline the prosecution of our claims under the Plan of Separation—a consummation devoutly to be wished by our covenant-breaking friends of the North. If we refused to arbitrate, it was supposed they could make the impression extensively that we were actuated by motives and policy at once unjust and illiberal. Either horn of the dilemma, as the South might choose, it was confidently expected would tell favorably upon the objects of northern diplomacy, and hence they *propose to themselves* to arbitrate the question, unless they should see proper to decline doing so! It is now more than two months—seventy days—since the passage of the arbitration resolutions, and no communication has been made to the southern commissioners—no action of any kind, so far as we have reason to believe has been had upon them. It has doubtless been found more convenient and more in accordance with their plans and policy to have a *fifth year's* use of our funds before allowing any step to be taken that might result in their being deprived of them. We can prove the agents had time to take the advice of counsel, and in the event of its being unfavorable to arbitration, the question might and should have been brought before all the northern Annual Conferences, whose sessions have occurred since the middle of June. Let the reader add this additional unnecessary delay to four years of quibbling evasion, and ask himself how much longer the South ought to wait? What motive or reason can be urged for farther delay? We have just seen, that notwithstanding the boasted demonstrations of fairness in the non-committal arbitration report of the General Conference encouraged by the temporary subsidence of public indignation which

followed its adoption, they are now, precisely as we expected, doing nothing toward the accomplishment of the object about which they appeared to be so exceedingly anxious. In view, therefore, of all the facts, reasons and inferences to which we have called attention, showing a very prevalent indisposition, if not settled purpose on the part of the Northern Church not to divide the funds with the South, and especially a most hopeless state of indecision and disagreement both with regard to the means and the end implied in any fair settlement of the question, we cannot consent to risk the interests involved by any mode of settlement the effect of which would be in any way or to any extent a relinquishment or invalidation of right under the Plan of Separation. As original partners and freeholders with regard to the entire property in question—equity, under the circumstances which led us to separate with the full consent of the Northern Church, gives us a right to a portion of the property. This right was conceded and confirmed by contract between the parties before separation. It is our true position to claim *in equity under the contract.* Knowing the pledges and promises of the adverse party to be of no avail, the only remedy left us is *to assert our rights under the contract*; and in doing so we confidently appeal to the justice and impartiality of public opinion.

The last Reports adopted by the General Conference, from the Committee of Forty-six, and not published until June, and put forth as the concluding apocalypse of the party in abuse and depreciation of the South, have reached us just before closing our Appeal, and we can devote only a few pages to such items as may seem to require notice after the anticipation of their contents with almost historical accuracy in the foregoing part of our Review.

And believing it to be essentially unnecessary, we are glad to be relieved from the task of examining in detail, the elaborate tissue of fiction, sophistry, and barefaced misstatement, for which alone they are remarkable. These nondescript reports charge the South upon the basis of quoted documents, when the very passages adduced in evidence, prove the falsehood of the charge. For example, it is charged that the Louisville Convention taught the violation of the Plan of Separation, and the proof is that the Convention provided that should any portion of an Annual Conference, not represented in the Convention, adhere South, "*according to the Plan of Separation*," they might upon the established rates of representation, elect and send a delegate or delegates to the General Conference of 1846. The allusion of course is to *travelling* preachers, who had a right to adhere South when and where they pleased, and so adhering as authorized by the Plan, it was entirely competent for the Convention to provide that they be represented in the approaching General Conference, and doing so as the Convention required, "according to the Plan," it *could not* be in violation of it, and the *slander* of the report is potent upon its surface. The very words the report quotes to prove the charge, gave the authors of it notice that it was utterly destitute of any thing resembling truth. Our accusers knew very well that the *people* were not alluded to in the resolution, for *they do not send delegates* to General Conference, and the preachers, as all know, had a right to adhere without reference to lines or Conferences. The resolution is in strict accordance with the Plan, and the charge of the report recoils upon those bringing it as a "false accusation." So much for the bungling, baseless charge that the South "extended the Plan into the bound-

aries of the Baltimore, Philadelphia, and other Conferences!" Men capable of such falsifications of history and fact, whether from ignorance, interest, or malice, will bear being watched any where. Again, many societies on the southern side of the general line, intending to go South, and having no northern sympathizers in them, thought it unnecessary to have *formal* action, as it was notorious that they all went South, and there was no adhering on the other side of the line, and the Convention resolved accordingly, that where this was the case, as the *end* proposed by voting was answered, it should be understood constructively, "as adhering to the South," that is, as meeting the requirement of the Plan. The resolution is restricted to "societies and stations on the border within the limits of Conferences represented in the convention." Northern ground and northern rights were not affected, and so far from teaching the infraction of the Plan, it taught directly the contrary, by simply showing the *mode* in which such societies might be regarded "as adhering South"—especially as the North refused to adhere at all. It was intended to apply to such societies as were interior charges at first, but were or might be brought upon the border by the adherence of others North, as at Augusta, Ky. The resolution had no reference to the *fact* but related entirely to the *mode* of adhering, and hence the groundlessness of the charge urged in the report. It is farther charged upon the South,—"Hence their preachers have generally prevented *any* voting, wherever they could *by any means* prevent it." The truth in the case is, that the very men who bring this charge, are themselves notoriously and universally guilty, as elsewhere shown, of the very conduct charged upon us as criminal. They did all in their power to

prevent any attention to the requirement of the law, and during a term of four years, preached and practised its non-observance as a virtue along the whole border from Philadelphia to Missouri, as the columns of all their church organs will at any time show, and they find it worse than useless to deny—they do all this, and with the evidence before them that adherence had taken place at all points on the southern side of the line, come forward and claim the virtues of good character, in charging their *own guilt and shame* upon the South! "My soul, come not thou into their secret place, mine honor, be not thou united with them." And what adds to the enormity of such perfidious treatment, is the fact that there exists no apology for it on the score of want of information. They had ample means of correct information, but would not avail themselves of the truth. If it be useless to talk about records—for we have seen how they use them, there were southern men present—men they knew where to find and how to approach, who had it in their power and were fully prepared to prove the falsehood of these charges in any court in Pittsburgh, on the very day they were penned, and a knowledge of this fact was probably the reason why they were not consulted.

The General Conference charges it as a grave offence in the South, as met in convention, that "they exceeded the provisions of the Plan by extending it into the territory of the Baltimore, Philadelphia, Pittsburgh, and other Conferences," whereas no well informed schoolboy could read the Plan, without knowing that it included these Conferences *as directly and properly* as those of Virginia, Kentucky, and Missouri! Does this denial or perversion of the truth result from ignorance of a plain

law specifically named as "reciprocal" in its bearings on *both* sides the line, or must we believe it an attempt to falsify the letter of the law, that the public might be gulled into the belief that they had a right to declare it null and void? In any event, whether the one or the other, we prove them guilty of a grave legislative avowal, directly and invincibly contrary to truth and fact.

The other charge, that "in *all* societies where no vote would be taken, they claim them constructively," is equally unfounded; for the resolution instead of extending to "all" border societies on either side the line, is by their own quotation of it, confined to those "within the limits of Conferences represented in the convention;" so that, in both cases, their own evidence disproves the fact fabled in the charges! These misrepresentations are the more offensive because, as we have shown in numerous instances, and shall show in others, our accusers are notoriously guilty of the charges they bring against us, and a pertinent example is the one before us. They gravely assign it as a reason why they should not keep faith with the South and should dishonor a law of their own making, that border charges were regarded, in instances specified, as constructively adhering South without formal voting, whereas they have acted on this very principle from the beginning, and we can prove and will do so whenever denial renders it necessary, that not one in a hundred of their border societies ever voted at all, and that their church organs advised and approved the refusal to do so, and yet all these have been constructively claimed as adhering to the Methodist Episcopal Church! By what logic will the reader prove to his own satisfaction or that of the public, that such conduct is just and honest? The law is the same—is one with regard to both; if they be-

lieve us to be guilty of its violation they must know themselves to be guilty, and to charge us with blame and exempt themselves, is in our judgment a moral offence compared with which mere folly would be a virtue. It is worthy of notice too, that adapting these reports to the foregone conclusion of repudiation and declaring the Plan a nullity, with which they come together, it is affected at every step that they considered the line as fixed by the northern boundaries of the southern Conferences in 1844, whereas the Plan not only authorized societies and stations but Annual Conferences on the border to adhere South. Suppose then in accordance with the plain provision of law, the Philadelphia, Baltimore, Pittsburg, Ohio, Indiana and Illinois Conferences had adhered as the General Conference allowed them to, if they saw proper, where would have been the line? it would, as every one must perceive, have been removed to the Northern limits of these Conferences, thus showing the fallacy of their general position on this subject and the ridiculous posture in which they place themselves by charging us with "crossing" the line, when they had refused to fix a line by adherence in any form. There is no paucity of items going to make up the unique redoubtableness of this "Ravel family" of reports. For example, it is stated with grave formality that "the Plan could have no reference to the Philadelphia, Baltimore or Ohio Conferences;" that "by the concession of all, the Plan was confined to the thirteen Annual Conferences in the slave-holding states." That the Plan was confined to the latter Conferences as a contracting party with the remainder of the whole number of Conferences is admitted; but that it relates to this remainder as properly as the "thirteen" is equally certain, and in the sense of the Pittsburg General Conference, it

is not true in whole or in part that it was "confined" to the Southern Conferences. So far from it, no man can read the Plan without perceiving that the contrary is true. The charge is utterly false, and all the world is told so by the law itself, and so far as we can perceive, none knew it better than the authors of the report when they attempted to palm the contrary upon the public. The law is too plain for stupidity itself to misconceive its meaning; its language is, after naming *both* churches, that they "*reciprocally* observe the *same* rule in relation to stations, societies and conferences, adhering by vote of a majority." There was no law binding the South except at points where an antagonistic vote of adherence had fixed a line left unsettled and only to be fixed by each adherence. Most sincerely do we wish the necessity had not been imposed upon us to hold such language, but charged and defamed as we are in these reports how can we avoid it? Falsely charged, as we show by incontestible evidence, must we remain silent, or is there any reason why the injurious treatment we have received should not be exposed in its proper colors? The imputation against the Southern Bishops is equally unfounded, and the proof of it will be found no less conclusive. Bishop Soule instructs border societies in the *precise language* of the Board of Bishops at their meeting in 1845, and respectfully suggests that *rather than rebel* against the law and authority of the General Conference by non-adherence, it would be *better* for societies to divide, and minorities seek such ministerial supply as *they* might prefer. And this plain and explicit instruction *to obey the law*, is directly falsified in the report, and the Bishop is made to "teach" directly the opposite of what he says! There is not a word in Bishop Soule's instructions about the "sliding" character

of the line beyond what is found in the Plan itself and the Episcopal exposition of it, and not half as much as in Bishop Morris' letter to McMurry on the same subject, about which, however, these sagacious partizan legislators are careful to say nothing, except to approve in Bishop Morris what they condemn in Bishop Soule! The charges against Bishops Andrew and Capers are equally unfounded. The work of adherence South, in the Kenhawa district, commenced with the societies adjoining the Kentucky Conference, and continued without any *opposing* adherence North, until the way was *legally* opened for the adherence of Parkersburg, so that the statement respecting that charge or station tends only to disguise and withhold the truth. The regular adherence South of all the intervening societies, brought Parkersburg upon the border and gave that station the undoubted right to adhere according to the Plan; and yet the contrary of this perfectly notorious fact is recklessly asserted by the Pittsburg General Conference. That body refers us to the statement of the Northern Bishops as "undoubted and official testimony." The Bishops, however, spoil the reference by informing us that they give the "alleged infractions" as they had reached their "ears," and not either "officially" or with a "knowledge" of their correctness. The *hearsay* evidence of the Bishops may be unexceptionable "official testimony" as *second hand* information; but so far from its being "undoubted," nearly every statement they have made will be challenged and disproved as essentially at variance with stubborn well-attested facts. We leave it to the Bishops of the Methodist Episcopal Church South to reply to these charges in order and necessary detail; but we deem it proper without conferring with them to show that the most material of them have no

foundation in truth and fact. The Bishops report the Leesburg station, Baltimore Conference, for example, as adhering North by vote of a majority; whereas we have the most incontrovertible evidence—a part of which is the written statement of the Baltimore preacher in charge, Rev. J. Guest—showing that the station adhered South by a majority of at least thirty! The Bishops charge an infraction of the Plan iu the instance of Bethel, Ocahonnoc Neck, Eastern shore of Virginia, alleging "here *no vote* was taken," but it so happens there was a regular official vote in a regularly called and organized meeting of a large majority of all the society, when the vote to adhere South was unanimous, the proof of which can be furnished to the satisfaction of any tribunal in the land, the General Conference of the Methodist Episcopal Church, North, excepted. The Bishops charge in the case of Franktown, that the South obtained a majority by allowing "numbers" to vote who had not attended class-meeting for years. They are careful, however, not to state that none voted except such as were found upon their own church record, as regular members unimpeached and in good standing under their own administration and pastoral oversight!

The Bishop's statement shows the societies on the eastern shore of Virginia to have been border societies, and of course, by the Plan and according to their own official instructions based upon it, they had a right to adhere North or South as they saw proper, and after their adherence South, there could be no infraction of the Plan in supplying them with ministers. The statement itself defeats and discredits the purpose for which it is introduced. The report, (to drop the *family* feature), avers, with the dogmatism and disregard of facts by

which it is distinguished in all its parts, "our Bishops have most scrupulously observed the regulations of the Plan." The reader need not be reminded—for the proof is clear and full before him—that no obligation, direct or implied, rested on the South to abstain from border territory north of the basis line of separation, except where adherence north had debarred entrance from the south; and it seems that the northern Bishops honor and "scrupulously observe" the Plan by charging southern violation, where they could not help seeing the Plan itself precluded it!

Again:—as we have heretofore furnished legal proof, so also it will be in our power to do it at any time, that in Kentucky, Missouri, and Virginia, ministers were sent from the Methodist Episcopal Church, North, to *minorities* of societies, in each of which clear and unquestionable majorities had adhered South, and this *before* "Vine street charge, "Soule Chapel," or any other southern charge was known or heard of north of the *moveable* line of the Plan of Separation. If the Bishops did not do it directly, it was *connived* at and *allowed* to be done by subaltern agents of their own appointment, without reproof or revocation. In the instance of St. Louis however, it affords us pleasure to except Bishop Morris from the application of the preceding statement, as Akers, the Presiding Elder, acted in cool official *defiance* of Bishop Morris, and was encouraged and sustained in his rebellion and abuse of office, by leading church papers, especially the Western Advocate. The Pittsburgh General Conference seem to have disposed of the difficulty without the least embarrassment, by deciding that the Bishop did right in *obeying* the law, and that his contumacious officer acted still more commendably in treating it with con-

tempt! The report declares the church, north had done every thing possible to preserve the line between the the churches "unbroken." We have seen however that from one end of the line to the other, and from first to last, in open breach of all good faith and defiance of law, they refused to allow the establishment of a line by the adherence made necessary to do it by the plain letter of the law, and were beside, *the first to cross* the nominal line after it had been fixed by adherence on the Southern side! The report charges us with "destroying the whole Plan," because we asserted our rights under it, and would not permit them to proceed with their violations without the resistance and exposure called for by their want of good faith. The report assumes that the Plan was destroyed beyond the possibility of restoration by the resolution of the General Conference of the Methodist Episcopal Church South, approving the administration of Bishops Soule and Andrew. The reader need only throw back an eye upon the facts and evidence of this Appeal, to feel the full force of this ridiculous assumption. When the baseless assumptions and apocryphal data of the report are overthrown by a direct and clear presentation of facts as they occurred, what becomes of the confidence and inflation constituting the most remarkable characteristic of its inferences?

The famous "figure-head" position of the "final report," that the Methodist Episcopal Church, South, exists a separate and independent Church by the "sole act and deed" of the ministers and members composing it, has been shown to be a falsification of fact and history so utterly unfeasible—so sheerly without claim to even a decent show of truth or reason, that any farther notice of it must be regarded as entirely superfluous. To say nothing of

the other evidence adduced, we disprove the assumption by almost innumerable declarations of the very men bringing the charge!

Another of the legislative libels of which we complain in this report, is that the authors and signers of the "declaration," instead of seeking a "constitutional" redress of "grievances," sought such redress in a "violation of the integrity of the Methodist Episcopal Church." In direct disproof of this fraudulent attempt to *unchurch* the South, we have demonstrated in nearly all the forms in which a fact bearing date four years ago can be proved, that the very authors of this disgraceful perversion of the truth of their own records, admitted the validity of our plea of grievance—declared the Plan of Separation a "constitutional" remedy, and bid us God's speed, if we saw proper to act upon the full and official authorization they put in our hands! The paragraph of the Report devoted to the Protest, is so tamely destitute of either point or pertinence of any kind, that it is unnecessary to notice it except to remark that the signers of the protest regarding their rights grossly violated by the majority, did believe a division of the church would be necessary unless the majority made reparation; but the minority had no intention of pursuing a course that would in any way operate a forfeiture of right; and they accordingly sought and obtained proper "constitutional" authority for all they did, and hence the fallacy of the report in bringing this charge. The amount of the charge is, that we did what, it is in proof, they authorized and expected us to do. They charge that the meeting of the southern delegates in New York, on the day after the adjournment of the General Conference of 1844, was "unauthorized," requires nothing in addition to our notice of it, before

seeing the report. We have shown our authority to be full and express, as derived from the General Conference, to say nothing of the undoubted right of a minority to meet and confer under such or similar circumstances, without any reference to the views or wishes of the majority. The minority,—then an admitted contracting party with the majority, as shown by the Plan of Separation,—had clear and undoubted right to do as they did; a right recognized by the common law and public intelligence of every country, and the denial of it by the Pittsburg General Conference cannot fail to surprise and disgust the intelligent reader so soon as the facts in the case are brought to his notice. It is an exhibition of arrogance every way as preposterous as it must be felt to be offensive.

Among the absurd positions and inanities of this singular report, the allegation appears that a "convention" was looked forward to as among the means in contemplation to free the minority from the oppressive jurisdiction of the majority, against which they had solemnly protested as an injustice not to be borne! Certainly it was supposed, that should the Church, South, concur in opinion with their delegates, that the faithless and unjust conduct of the majority could not be borne without fearful detriment to the interests of Southern Methodism, they would proceed to action in all ways necessary to assert and protect their rights, and as the Plan of Separation gave them the right in a dozen different places and forms to become a separate "church," should they see proper, a Southern "Convention" was among the most *natural consequences* of the action of the General Conference of 1844. The only ground of surprise is, that men of sense and honesty should affect to think the call of a convention improbable

under the circumstances. Upon a single contingency, which we show the majority themselves *believed* would occur—that of finding it "necessary," the adoption of the Plan of Separation rendered a convention indispensable. That the Plan of Separation should lead the South to meet in convention was the least that could have been expected of it. The Plan, by the ends it expressly authorized, (the separation and independence of the South,) suggested and pointed to a convention as the necessary means of accomplishing the object had in view by the Plan. No man, not the slave of prejudice and prepossession, can regard the convention as any other than a natural result of the Plan of Separation, and the causes leading to its adoption. The General Conference of 1848 denounces us for a resort to means without which it was impossible to accomplish ends authorized by that of 1844, and the folly and injustice of such a course must be obvious to every one. We have a singular specimen of "begging the question" in another of the report's absurdities. It is alleged that the action of the Southern Convention in 1845 and General Conference in 1846 was a "withdrawal from the Methodist Episcopal Church," and it is the evident intention of the General Conference to make the impression contrary to truth and fact, that it was a violent, unlawful withdrawal, whereas, despite a thousand such reports, we shall always have it in our power to prove that it was a simple withdrawal from under the jurisdiction of the General Conference of the church "as then constituted," and that we had the full and unqualified authority of the General Conference to do so, should we "find it necessary" to establish a separate "ecclesiastical connection" in the South. So explained, we admit the charge of withdrawal, but in the sense intended, deny

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it as utterly untrue. One of the most extraordinary examples of reckless hardihood of assertion found in this voluminous bundle of mis-statements and contradictions, false data, and illogical conclusions, is the averment in relation to the Methodist Episcopal Church, South. "We affirm it to be impossible to point to any act of the General Conference, of the Methodist Episcopal Church, *creating* or *authorizing* said church." We do not know how such trifling with truth and history—such gross insult offered to common sense and public virtue throughout the country, may strike others, but to us it is inconceivable upon any principle not reflecting direct dishonor upon our accusers. We however may not be the proper judges in our own case, and we cheerfully appeal the question to the decision of the reader and public opinion.

Let the General Conference of 1844, be heard in the Plan. It is there distinctly stated, 1st.:—that the action of the Plan was had on the *basis* of the "declaration" of southern delegates, which "asks attention to *separation as not improbable.*" 2d.:—It is explicitly admitted that the declaration presented "an *emergency* to be met with christian kindness and the strictest equity." 3d.:—It is admitted that this "emergency" might render a southern "ecclesiastical establishment" necessary, and if in the judgment of "the Annual Conferences in the slaveholding States," it should be found necessary, it is provided and stipulated what should be the *terms* and *conditions* of separation. 4th.:—The rights, claims, obligations, and immunities of the parties are defined under the formal guaranty of law. 5th.:—"Provisional arrangements are settled, for fixing the boundaries of each connection." 6th.:—It is settled and adjusted, that all "interior charges" shall go with the territory of each

church, but that border charges shall have choice, and that choice *in opposite* directions at any given point, is necessary to fix the actual boundary, contingently agreed upon in the Plan. 7th.:—It is permitted by formal grant to all Bishops and ministers, to select *either* connection "without blame." 8th.:—It is admitted that the property of the church is owned *in common* by the parties, and legislative provision is made for its division, as matter of justice and right; and this stipulation includes church property of every kind, extending even to copy-right. 9th.;—The southern portion of the church, should "the Annual Conferences in the slaveholding States" see proper to avail themselves of the warrant of law and become separate and independant, is recognized as a "distinct ecclesiastical connection"—"southern organization" —the "southern church"—"the church in the South"— "the church, South"—"Conferences, South"—"such connection" (southern)—"Ministers in the South." 10th.: —They speak of the southern church as "formed" "organized" and "established" on the basis of the Plan they had devised and adopted. All this is true beyond question or cavil—it is in the law itself; and yet the Pittsburgh General Conference, in direct contradiction of the plain language and evidence of both law and history, insanely affirm that *nothing whatever* was done by the General Conference of 1844, authorizing the formation of a separate church in the south! Bishops Hedding, Waugh, Morris, and Janes, all northern Bishops, hold the following language, in an official manifesto, *after* the organization of the church, South. "Resolved, That the Plan adopted by the last General Conference, in regard to a distinct ecclesiastical connection, should such a course be found necessary *by the Annual Conferences* in the

slaveholding States, is regarded by us as of *binding obligation* in the premises, so far as our administration is concerned." Thus plainly declaring their understanding and conviction, that the General Conference had duly and in good faith authorized the establishment of a separate church in the South, which they were bound to recognize and treat as such. And in the face of these facts, how could the General Conference of 1848 affirm and publish to the world, as we show they have done, that the church South exists by the "sole act" of the ministers and members composing it! Was it supposed that a vaporing denial of truth and fact, might at least do something toward their diguise and suppression? Was it assumed that as comparatively few were well informed on the subject, such gross and reckless perversion could not fail to withhold attention still farther from the true merits of the question? Let the reader take the evidence upon which his eye has just rested, and come to a different conclusion if he can.

Another of the miserable misrepresentations of this most unveracious report, is in the following words:—"The northern boundary of the prospective new church to be *fixed* at the northern extremities of those societies, stations, and conferences, a majority of whose members should of their own free will and accord *vote* to adhere to the said *southern* church." The utter want of anything resembling truth or correctness in this statement, is obvious from a bare glance at the law in the case, to say nothing of the additional evidence already submitted to the reader. The law expressly requires adherence on both sides the line and in opposite directions, before the boundary can be settled. This however, and various other parts of the reports and proceedings of the General

Conference assume and declare, that the boundary was to be fixed by adherence South *only*. The law says, *after* requiring adherence South, and expressly in addition to it as necessary to fix the boundary—"adhering by vote of a majority to the Methodist Episcopal Church," North. Now we pray to be informed why this plain provision of law, under the eye of the General Conference at that very time they distort and deny it, was thus shamefully tortured to bear false witness against itself? Could a hundred and forty intelligent men, under any conceivable circumstances, misunderstand the language we have quoted? We think not. And if not, how are we to explain such conduct?

But let us hear the northern Bishops on the subject. In their manifesto, already referred to for other purposes, they profess to give directions to the border societies "in regard to their adherence *to the Church, North* or *South.*" These instructions were a part of their official administration, approved as correct by the General Conference of 1848 on one page of its proceedings, and declared not to have been thought of on another! How can men consent to trifle with their character and understanding in this way? The very vulnerable character of this report is farther seen by the assumed conditions upon which, it is alleged, depended its validity. The first was, the "Annual Conferences," South, were to "find it necessary." The proof is before the reader that with a unanimity without parallel in the history of deliberative and popular suffrage, the South *did* find it "necessary," and the strong argument of the North is, that "less than three thousand" dissentients, nearly half of them being negroes, Indians and children, have a right to reverse the decision of nearly half a million! And farther, although they had conceded

the exclusive right of judgment to the South, as the *sole condition* of the constitutional validity of the Plan, yet the safety of the church property rendered it necessary they should revoke the grant and constitute *themselves* judges in our stead three years after action had been had upon the grant! 2. It is most absurdly averred that "the *financial* part was deemed by *both* parties as essential to the Plan." The meaning is, as elsewhere avowed by the General Conference, that without the change of the restriction the Plan was of no force. The Plan itself, however, discredits the statement by showing that the change of restriction related only to the *method* of paying us what they admitted they owed us. The law says, in allusion to this fact, "*that part* of this report requiring the action of the Annual Conferences," showing that all the rest of the Plan was valid and was to go into effect independently of the "Annual Conferences." What was meant for an argument, therefore, turns out to be a mere absurdity. The third condition assumed relates to the "friendship and fidelity of the parties" in observance of the contract, and with regard to which it is only necessary to say, that this Appeal, to say nothing of other sources and forms of evidence, will show which party has been most manifestly wanting in the virtues of honor and good faith connected with this whole controversy. Let public opinion decide between us, and if it is necessary, the courts of the country; we have no fear of the result. Another of the false statements of the report is, alluding to the southern delegates in 1844, that "the General Conference would by *no means* allow this question of necessity to be decided by *these men*." The truth is, as we have shown, the General Conference *did allow* us to do it, and the report was *so adopted*, and but

for a motion of ours would have remained so. No objection of any kind was hinted by the majority, and the change took place on application from the South, just before the adjournment, and the statement of the report is as untrue as it is unfair and disingenuous.

Among the disguises and distortions of the report, the following may be instanced. "The Plan, rested upon *the production* of such a state of things as was predicted *by the acts of the General Conference alone.*" It is distinctly assumed that nothing else was intended or alluded to. By turning to the declaration, however, the reader will perceive at once that a part of the truth is suppressed. The declaration calls attention to *three separate* grounds of action; the report attempts to impose upon the public the assumption that there was but one. The first reason of the declaration is "the *continued* agitation of the subject of slavery and abolition in a portion of the church." The second is, "the *frequent action* on that subject in the General Conference." The third, "especially the extrajudicial proceedings against Bishop Andrew." No one can help asking why the first and second grounds, embracing a range of twelve years and including three General Conferences, were kept out of sight, and the last only asserted to be the *sole* ground of action! These perversions of public facts and records are to us passing strange, not to say unaccountable. In the reply to the protest, there are numerous distinct admissions, showing both the fallacy and unfairness of the pretence we are now exposing; but as the reader cannot help seeing that the charge is not true and that the reasoning is absurd, we dismiss the charge as disproved by the very evidence offered to sustain it, and as only worthy of notice because falsely urged in prejudice of southern rights secured in the instrument it distorts and misrepresents.

One o fthe graver offences of the report, is the following declaration:—"a vote on the change of the restrictive article, was understood to be a vote on the *merits* of the Plan *as a whole.*" It is certain it could have been so understood only by an antecedent misunderstanding of the law, which, as we have seen, affirms the contrary by excepting from the action of the Annual Conferences, all *that part* of the Plan which *actually provides* for the division of the church. The Plan itself specifies that no right of ratification or rejection belongs to the Annual Conferences; and yet the report persists in asserting the contrary, and attempts to prove it by attaching an unauthorized meaning to the language of Dr. Paine and the address of the southern delegates. The object of Dr. Paine was to show that as *final* action would not be had in the South until "*that part* of the report requiring the action of the Annual Conferences" had been submitted to them, it would allow the South ample *time* for calm reflection and preclude the evils of hasty action. There is no allusion, however remote, that the Plan would not be valid without the consent of the Annual Conferences, as groundlessly assumed in the report. The southern delegates, having no doubt of the necessity of the measure, were anxious to secure the proposed separation as amicably as possible, and accordingly said in their address, "upon a *declaration* made by the southern delegations setting forth the *impossibility of enduring* such a state of things much longer, the General Conference, by a very large and decided majority agreed to a *plan of formal and pacific separation.* There were those found among the majority who met this proposition with every manifestation of *justice and liberality*, and should a similar *spirit* be exhibited by the Annual Conferences in the

North, when submitted to them *as provided for* in the Plan itself, there will remain no legal impediment to its *peaceful consummation.*"

Two things are worthy of note in this extract, both of which are kept out of sight in the report. The first is, that the great object aimed at in the Plan—that is separation—should be effected as peaceably and free from excitement, as possible. And 2d,—should the Annual Conferences concur in the change of the sixth restriction when the question should be "submitted to them *as provided* for in the Plan, then it was quite certain the measure might be consummated 'peacefully' and without disturbing and agitating the church." If, however, a "similar spirit" should not prevail in the northern Conferences, then it would create a legal difficulty connected with the property question and the "consummation" of the Plan would not be "peaceful." The meaning of the delegates was, that *peace* or *war* in carrying out the Plan, would depend upon the temper and action of the northern Conferences. Other parts of the address show incontestibly and to the apprehension of every one, that the delegates did not mean what the report affects to think they did. The sense and manner in which the report insists the Plan was a mere "peace measure," beside being unsupported by a particle of evidence, cannot fail to strike every reader as perfectly absurd. How a measure, never to be realized—not intended by the parties to be carried into effect—a mere abstraction creating no rights and offering no reparation for wrong, could bring peace, will no doubt be beyond the comprehension of most of our readers. It was in fact regarded as a peace measure because intended to *separate* the contending parties and place them in different folds, where their

conflicting opinions and interests would not, as heretofore, keep them in a state of quarrel and dissension.

The assertion of the report therefore, that this peace feature was one of the conditions of the deed of separation, must be rendered harmless by its own absurdity, not less than want of conformity to the facts in the case. The report avers, that the Plan of Separation was adopted "to meet the disastrous results of a violent dismemberment of the Methodist Episcopal Church." That this statement is entirely devoid of even the appearance of truth, who can doubt after reading the Plan, in which the contrary is apparent at every step. The Plan was adopted to *prevent* such dismemberment, and establish a church, South, to which the best of the North might attach themselves "without blame!" What a "refuge" of sophistry and perversion, is this same report! We are next told "that to provide for or sanction a division of said church, was no *part* of the intentions of said General Conference." We wish to have as little to do with the motives and intentions of the adverse party as possible, but that they did both provide for and sanction a division of the Methodist Episcopal Church, is a fact we have compelled *them to prove* in this Appeal, in a way not likely to be questioned by any body not interested in the denial of it. We shall, at least, give them the character of good witness against *themselves*. The world shall know what their testimony is worth, they themselves being witnesses. It shall be known and read of all men, how they say and unsay, affirm and deny, with regard to the same things at the same time. The reader is already in possession of their evidence in their own words, and we leave him to reconcile it with the reckless, arrogant denial of this report. The report is

correct in assuming that the Plan of Separation has "three distinct, fundamental conditions," but it has mistook and misstated two of them, and given the third a position and relations which destroy its character.

The first condition of the contract was "should the Annual Conferences, in the slave-holding States, find it necessary." The whole character of this condition is destroyed in the report by what we regard as the perfidious and dishonorable assumption of right by the late General Conference, to judge of this necessity themselves. "In the light of four years' history" we show them to be the "covenant breakers," and guilty of the charge they bring against us. The second condition of the Plan was, that authorizing the division of the church as they did, should we find it necessary, and bidding us go with the high warrant of their approval, they pledged and conditioned, that should we go they would observe the "strictest equity" with us, in letting us have our equitable portion of the church property. This second condition however is entirely overlooked in the report. It had doubtless been discovered, "in the light of four years' history," that northern interests would be better promoted by making a "difficulty" of this condition! The third condition of the Plan was, that *both* churches, along the nominal line of separation, should *unite* in fixing the line permanently, by adherence, North and South, and should *then* "reciprocally" abstain from any disturbance or invasion of each others territory. It has been shown that this condition was universally observed by the South, and with equal universality denounced, scorned, and violated by the North. These are the only conditions of the Plan, and while our accusers have been guilty of their violation in all possible forms of trespass, we shall be able

to furnish legal proof that we have acted, as a church, under the full and fair protection of law, from first to last, although in some instances we may have erred.

The report assures as a "fact," that the General Conference of 1844, "provided for the *final ratification* and *use*" of the Plan of Separation, "in case the predicted separation should occur." All this is sheer fiction in itself, and relatively to the Plan, in any thing but "fact." The only ratification known in the Plan, connects with the "contingency"—"should the Annual Conferences, South, find it necessary." The only right or power of ratification conceded to the Annual Conferences, was the relinquishment of a supposed control of the church funds, enabling the General Conference, their own only and "supreme" representative body, to pay a debt they had contracted in behalf of their constituents in adopting the Plan of Separation. The Annual Conferences have dishonored their representatives it is true, by refusing the means of payment, but to represent them, as the report does, as refusing to ratify the Plan of Separation, when the whole of it, except its financial feature alone, is *expressly excepted from* their control, implies a temerity of assertion as difficult to vindicate on the score of sound logic as by the rules of morality.

Among the unfair pretensions and logical imbecilities of this notable report, is an elaborate attempt to show that the southern delegates were bound to submit to all the wrongs inflicted by the North upon the South, without any reference to redress or indemnity connected with the past or future, and that it was our duty to preach submission to the people and urge them to farther and continued forbearance. We need not remind the reader, for the evidence is before him, that the opinions and convic-

tions publicly and repeatedly avowed in the declaration and protest, and in debate, had shut us up to a different course. We believed the majority guilty of lawless wrong and outrage; we believed it would be unsafe and suicidal for the South to submit; we regarded it as our duty to press this state of things upon the notice of the South, and we did so accordingly. There is not a thought or suggestion in the address of the southern delegates not found in the declaration, protest, and debates. Nothingis added; there is nothing new. Attention is simply called to a great legislative issue, and we simply invoke the people to reflect upon it, weigh the matter well, and decide accordingly. We appeal to the documents quoted, in proof that all this was done with as much moderation as was consistent with the point and firmness demanded by the "emergency." We regard the report as uncandid and unfair, because it avows that we were expected to do what we had directly and repeatedly declared we could not and would not do unless the majority changed their position. We have admitted that, until the reply of the majority rendered adjustment impossible, we were not without hope that we might live without separation, trusting that, should the majority not recede, the Episcopacy or Annual Conferences might interfere, so as to correct the outrage and injustice of which we complained. Nothing of the kind occurring, however, in remedy of the evils brought upon us by what we believed to be lawless oppression, we saw no reason why the question should not be met and decided at once. If it had been the object of the report to let this whole matter be judged of in the light of truth and fact, why this staid effort to impress the public mind with the belief, that while they were anxious to defer to the judgment of the church and the de-

cisions of time, we were in indecent haste to have conclusive action? The report not only presents a one-sided view of the matter, but it reverses the truth of history in the case. We united, to a man, with the whole bench of Bishops in urging upon the majority the importance of postponing all action upon the merits of the controversy, and referring it to the judgment of the whole church for final determination. But the very men who arraign us in this report for not deferring to the people sufficiently, are the very men who brought on the "emergency," and in the midst of the crisis, despite the remonstrances of the Bishops and the whole South, would not wait an hour for the people, but hastened with boisterous despatch, without pause or remorse, to lay our prayer upon the table, and spurn from them the entreaties both of the Bishops and the South! Our defamers are the men who would not, who *dared* not trust the question in the hands of the people. They are the men who *distrusted* the people and put *dishonor* upon them, when *we* and the *Bishops* proposed them as the *umpire* of the controversy! We deferred to the people and offered to bow to their judgment, but our accusers *declined the arbitration*, and preferring their own judgment, decided the question themselves! And what did we do? When actually constituted the sole judges of the necessity of separation, with the full "constitutional" right, as they told us, to do so before the adjournment of the General Conference, just before separating, we asked to be released from the responsibility and to let it rest with the Conferences we represented; and then instead of hasty action, we appealed the question to the people and left it in their hands twelve months before, in accordance with their nearly unanimous judgment and that of the Annual Conferen-

ces, we proceeded to settle the great question thus long and publicly pending! Can the reader help perceiving how the charge of the report recoils upon our accusers, and involves them in all the blame and discredit they have so deceptively sought to attach to the South? The report charges the southern delegates with giving "the full weight of their influence to counteract the pacific measures which they had asked at our hands and for which they had voted." The idea intended to be conveyed by the use of this language, must strike the reader as additional proof of the deceptive and guileful character of this report. One knowing no better, would suppose, from the language and assumptions in different parts of the report, that the Plan of Separation originated with the South, and was proposed to the North, in diplomatic form, as the *means* of *preventing* separation. This idea, ridiculous as it is false, comes up in the report in various forms, and toward the close appears in *rubric*. The assumptions of the quotation are both untrue. The Plan originated with the committee of Nine, of which only *three* were from the South. The Plan therefore originated, in every parliamentary sense, with northern men. The North had a two-thirds majority in the committee and also in the Conference, and the measure, in both cases, was carried by northern votes. It was not directly or indirectly, in any allowable sense, a proposition from the South. The South approved and voted for the measure it is true, but so did the North, and with nearly equal unanimity.

It is moreover true that the Plan was not expected—was not intended as a peace-measure, apart from the *action* it authorized on the part of the Annual Conferences in the slave-holding States. How in the name of common

sense could it be? Was it supposed that five thousand Methodist preachers, South, and nearly half a million of members, were such a set of imbeciles as to be satisfied with a statement of what the North was willing to do in the mere *hypothecation* of a division of the church, but would not do, nor yet think of doing, should the division be thought of as *real* or *actual*? As a measure not to be realized in action, what does it amount to—what does it mean? Is it sheer farce, or is there mockery in it? We were told by the very authors of this report, that amicable division was authorized to prevent dismemberment without the warrant and sanction of law. The report represents that the Plan was adopted to meet the consequences of *unauthorized* separation! If this be not its meaning, it will certainly not be difficult to prove that it has none. After separation, what right had they any more than the Pope or the Shakers to authorize us to do, or forbid our doing? Was it meant to say, if you go with our consent we can do nothing for you, but if without it, here is what we propose to do! The reader will be kind enough to imagine their answer.

In allusion to the date of the address of the southern delegates the report says, "the act of separation was consummated, as we have already seen." If so, why not by the declaration, by the protest, by the Plan itself, by the debates, in all which the same language is held as in the address? Can that cause be a good one requiring such a mass of sophistry and mis-statements to sustain and recommend it! The report, increasing in audacity as it draws toward a close, charges the southern delegates with a resort to "revolutionary means" before leaving New-York, in 1844. Revolutionary or not, we present the warrant of General Conference law for all we did, and

show that we were authorized *then* and *there* to proceed much farther than we did in our address to the southern church. It is true we did not do what the majority did, if this report is to be credited, purpose one thing and say another. We told the majority plainly that they must make reparation for the wrong they had done us, or attend to our *claim of right* to have a separate church jurisdiction beyond their control. They assured us that by acceding to the latter was the only mode in which they could offer reparation, and we accepted the tender in the shape of the Plan of Separation. This is the only "revolution," and they are the authors of it, for they were the majority to the full extent of more than double our numbers.

The report asserts "that the southern organization was consummated in direct contravention of the Plan proposed to meet the *results* of separation." No plan ever was proposed to meet the results of separation. We must suppose either party to have had more sense and virtue than such a supposition allows. Was the Plan a bribe or premium which could only be available to the South, in the event of separation *independently* of its authority! Such is the absurd doctrine of the report throughout; whereas the Plan was adopted in the shape of a special law, where both parties were together in one constitutional body, as a covenant engagement to be kept by both parties, should *we* decide on separation. It was authority to act if we saw proper, not to sanction unauthorized action after it had taken place. It was not to meet unlawful results, but to accredit as lawful and "constitutional" a course of action, which we believed we should have valid and urgent reasons for resorting to. If this was not the aim and purpose of the Plan, we can only regard it

as a strategetic fraud, intended to mislead and entrap, with a view to the accomplishment of ulterior and unworthy purposes. If we admit the premises, who can avoid the conclusion? The reasoning of the report assumes that no right of action accrued to the South, in virtue of the Plan, without a state of great "excitement" in the South, "produced" by the "acts" of the General Conference of 1844! The report blindly affirms that this is the "first great fundamental condition" of the Plan. It so happens, however, that what is here paraded as the most important condition of the Plan, is not a condition of the Plan at all, nor is it alluded to either in the Plan or declaration. Results of much graver import are contemplated.

The widely diffused fanaticism of Abolition and anti-slavery everywhere blending in the northern division of the church, with political movements and projects avowedly hostile to southern interests and influence.—The frequent and reckless agitation of these anti-christian topics in the local and general councils of the church, disturbing and distracting the quiet and action of the entire body—introducing into its practical creed and liturgy, subjects and principles unknown to the Bible and alien to its doctrines and precepts—insisting upon tests of piety and conditions of church membership, manifestly without warrant from the scriptures, and at variance with the immemorial opinions of the church.—The unprincipled violation of law in the case of Harding, in 1844; (who, by the way, *with all his slaves*, is now an *approved* presbyter of the Methodist Episcopal Church, within the limits of the Baltimore Conference!)—The abuse of right and defiance of law in the case of Bishop Andrew, showing that no man's character or rights could possibly

be safe in the keeping of such a party, to say nothing of the more comprehensive interests of the whole southern division of the church thus assailed and disturbed by the unscriptural and unchristian church policy to which we call attention.—The revolutionary movement too, in the General Conference of 1844, in the utter prostration of the *Episcopal function*, in the theory of Methodist church government, and the disingenuous attempt at self-vindication by the libellous imputation that the South had adopted the *Jure divino* theory of Episcopacy: when, in every variety of form, we had explained ourselves as merely contending for the rights secured to our Episcopacy in the peculiar system of our government, *as a third order* —not of New Testament *ministers*—but of *rulers and officers, specially consecrated* for the *special purpoess* implied. The perverse misrepresentation of our views, however, was but a trifle compared with what we believed would be the practical workings of the new northern theory. And how have our fears been realized. Already the Episcopacy, North, is *struck down.* Its once high executive force in the administration,—as a branch of the government—is prostrated. Bishops are no longer *such* in the Methodist Church, North. In the progress of reform, it has been ascertained, in accordance with the *Hamlinean* theory, that they are only needed as *Chairmen!* Shades of Asbury and McKendree, what will all this end in! To all this—to all these deeds and symptoms of defection and disorder, the South stood opposed to a man from the first. No one hesitated. Against these and similar manifestations of capricious change and innovation, we *protested.* Upon them we founded our brief put explicit *declaration.* In view of them we gave notice of what would follow if the

North persisted in the course suggested by their several revolutionary movements. On these general subjects the southern Methodist mind was made up. It was not necessary that any should *"take the lead."* We knew what opinion and conviction were, in the South. The attention of the church, south, in regard to its rights and wrongs, connected with slavery, had been critically directed to an examination of the whole subject, by the report of the General Conference of 1840. By that they were willing to abide, but resolved at the same time, that less than that, would be ruinous to southern interests. We knew that no excitement, no agitation, was necessary to decide the South.

When the declatory law of 1840 was departed from, by the majority in 1844, the Rubicon was passed and the question settled; and we told them so in every form and all plainness of assurance and remonstrance. This is the "state of things in the South," alluded to in the declaration. Excitement and agitation had and have nothing to do with the question, except as merely incidental and accessory to more controlling reasons and causes; and the puerilities of the Pittsburgh report on this subject, may be dismissed without farther notice, as it must be obvious to the reader, that without a particle of the "excitement," and in the absence of every degree of "agitation" made by the report, essential to the validity of the Plan, the full and undoubted right to separate, accrued to the South on entirely different grounds. Hence in this, as in preceding instances, we find this report utterly at fault in its facts and reasoning, and the true merits of the question kept out of sight. In different parts of the report, it is urged that the southern ministry might have quieted the southern mind, so far at least, as

to have prevented immediate and decisive action; and it is repeatedly insinuated, and indeed asserted, that we were pledged to this, and that the Plan become a nullity for want of such a course of submission and forbearance on the part of the ministry. We have seen, however, that the reasons and grounds of action with the South, went beyond any such view of the subject, and embraced topics and interests of higher and graver import. We were under no obligation to submit to northern encroachment, until we lost all influence with the South, or were driven out of it. Nor were we understood to mean any such thing. The report distorts and exaggerates. The attention of the reader is studiously directed from the true issue. The language of the Plan explains our meaning fully in its construction—"the objects and purposes of the christian ministry and church organization cannot be *successfully* accomplished under the jurisdiction of the General Conference as now constituted." By those reading this mendacious report of the committee of forty-six, the impression would be received, that unless expelled the South—unless resisted by popular violence—if so fortunate as to escape mobs and Lynch-law—if allowed to live at all, we were bound to submit and suffer on! Escape and immunity with regard to these, seem to constitute, in the judgment of the Pittsburgh General Conference, the "objects and purposes of the christian ministry and church organization," and not to suffer the one would seem to be the "successful accomplishment of the other!

The concluding paragraphs of the report add nothing to its general matter, and will be found to be a mere repetition of its "so called" facts and inferences. The reader has seen enough, in detached parts, to judge of its claims

to truth and fairness as a whole. So many of its assumed facts and boasted inferences have been disproved and overthrown by documentary evidence, having the sanction and signatures of the very men who put it forth, to say nothing of other modes and forms of proof, that we have very little fear that any permanent influence will be exerted by it materially injurious to southern interests. To those unacquainted with the subject it may appear fair and plausible; but to those well informed with regard to it, we are confident it must wear a very different aspect. We had anticipated so large a share of its contents in the earlier part of this Appeal, that no very formal review of it can possibly be necessary; yet as it has claimed public attention with so much confidence and such an imposing array of pretension, we have deemed it necessary to expose and discredit the most material of its assumptions and conclusions, by way of showing, that at best it is very questionable authority for the truth or fairness of anything found in it. It is a very tolerable condensation of the northern style and train of reasoning and argument on the subject for the last four years; a kind of *Abracadabra* of all that has been relied upon in justification of the treatment and conduct of which we complain, and will no doubt be regarded as the *vade mecum* of the party, as long as it will answer the purposes of its laborious concoction, and certainly no longer. A few additional items, and we have done.

On the subject of the inconsistency of the late General Conference in its action with regard to the South, we have furnished so many examples and proofs, that farther specification and evidence would seem to be entirely unnecessary; and yet the subject—our examples and proofs are by no means exhausted. Look at an Annual Con-

ference, voting an official declaration of the unconstitutionality of a law of the General Conference of 1844, and the General Conference of 1848 officially approving the act! This same Annual Conference of course, at its next session may vote the last General Conference a set of rogues and fools, and the next General Conference will be compelled by the law of precedent to submit, as the General Conference of the Methodist Episcopal Church has formally endorsed the right of an Annual Conference to declare its acts not only unconstitutional, but wicked and silly, and finally null and void!

Look at a Presiding Elder resisting a Bishop in the vital affair of a pastoral appointment contrary to the Bishop's order, and *whose right alone* it is to make such appointment. See an Annual Conference taking sides with the contumacious subordinate, against the Bishop; and the General Conference endorsing the action of the Annual Conferences as correct! What motive, not crooked and sinister, could induce a General Conference thus to disgrace itself by proclaiming the nullity of its own legislation! Can there be any effective government in the midst of such confusion as this? All is the whirl of revolution. The difficulty is upon them, with no Hercules to crush the serpent. The public mind, when informed, cannot fail to be forcibly struck with the fact that the late General Conference has tried in various ways to make the impression, that the only difficulty in the way of an equitable division of the church property was the barrier interposed, as they allege, by the constitution, and hence, they say they are doing all in their power to remove it, whereas the fact is they have done nothing. They say to their agents, *if legal counsel advise it*, they may propose an arbitration. They had, however, cau-

tiously managed to prevent a "two-thirds" vote of their body, after declaring that a "three-fourths" vote had *not* been obtained in the Annual Conferences, so that upon *their own showing*, legal counsel *could not* advise arbitration as constitutional! Was this fair? By what process of reasoning can it be shown to be honest? Was it not enough to have deceived us without deceiving the public in addition; for every man among them knew that no step had been taken toward overcoming the constitutional difficulty. The most charitable construction that charity itself can put upon their conduct is, that they intended at least to hold our funds four years longer, if not forever; for should the Annual Conferences consent to arbitration, it does not begin to remove the difficulty they urge without a "two thirds" vote of the General Conference, which body does not again meet until 1852! By their own statement of the case, the movement was avowedly a constitutional one, and as by the constitution no such movement can be made by the General Conference without a "two thirds" vote, it follows that what they published to the world as a movement to this effect, is not true,—the General Conference did not recommend to the Annual Conferences any removal of the constitutional restriction, in any form whatever! We have been mocked, and the public deceived. By their own declared action the General Conference did nothing at all toward a settlement of the property qnestion; and we call attention to the fact, and expose the deception, as an additional illustration of the system of policy adopted by the North to deprive the South of her rights.

The refusal to fraternize with the South, we regard as a matter of but little importance, beyond the gross inconsistency in which it involves the North. It cannot ope-

rate to the injury of the South. Nothing is lost worth retaining. Their reasons and motives, should they ever agree among themselves as to what they really were, are not likely to command much respect out of their own pale, if there. Even there the dispute is already working mischief. One section of the party affirms and another denies, and the result is neither is believed. They show themselves unworthy of confidence by letting it be seen at every step that they have no fixed principles of action. We have shown, side by side, resolutions of the supreme council of the church, the one endorsing a dismemberment of the Methodist Episcopal Church in so many words, and the other gravely announcing that the General Conference has no such right or power, and never did—never can do any such thing of the kind, without the most shameful betrayal of trust. Dr. Ryerson, of Canada, said to the late General Conference, in behalf of the church he represented, alluding to the act of that body in 1828, "it was well known they had been *set off from* the great Methodist household." Dr. Green said "you were pleased to consider us of age, and to *allow* us, under the circumstances, *to act for ourselves.* We have not considered the *separation* so much an act of choice as of necessity." The Conference heard this language without any mark of dissent or disapproval; and yet, only a few days after, they resolve, in direct contradiction of what they had previously resolved, and a week before publicly acquiesced in, that any and every such act of the General Conference is a "nullity," and that no division of the church can, with any show of right, either be authorized before, or subsequently sanctioned by the General Conference! Such want of right, too, is assigned by the General Conference as a principal reason why the North

cannot fraternize with the South; although, in other perfectly analogous cases, no such difficulty exists at all! It appears upon the face of their own proceedings, that the same reasons and motives led them to approve in one quarter what they condemn in another. They cannot fraternize with us, because of an unauthorized separation, as they falsely allege; but having declared the same thing in the same terms with regard to Canada, it interposes no obstacle whatever to the most intimate fellowship! Or, as Stevens, and with him a majority of the late General Conference will have it, let slavery be the true reason of their non-intercourse policy, and how does it better the matter? The law is the same in both churches, without the variation of a word, and the only difference in practice is, that the southern practice, as we have shown, is protected by law, whilst theirs is in violation of it; and the reader meets with the same absurdity and self-contradiction as before,—they condemn in us what they approve in themselves! Or, further, if it be urged that our travelling ministers hold slaves, while they restrict the right to local preachers, then the issue is, they maintain that christian morality allows a minister to be a slaveholder if he be "local," but if "travelling," the word of God condemns him, although as ministers they are every way equal, both belonging to the "Presbytery" of the New Testament! And we further involve them in the additional absurdity of denouncing southern ministers for owning slaves, while northern ministers who *once did own them*, and placed it forever out of their power to do anything toward their well being *by selling them* into perpetual slavery, are not only cherished in the bosom of the northern church, but are distinguished as excellent abolition saints, and in some instances the very Pharisees of the

sect! Our accusers know all this, and they know too, that we can furnish the proof whenever it becomes necessary, and our object in calling attention to it is not in any way to affect individuals, but to show the dishonest inconsistency with which we are hunted down by the church, North, on the subject of slavery. Every view of the subject we have been able to take, but confirms us in the conviction of their inconsistency and want of settled principles. No one affects to question that in the South much evil and abuse, requiring correction and remedy as early and effectually as possible, are found in connection with slavery. The same evils, however, *in principle*, and not materially variant in form, exist throughout the North. In the South, *individuals* have the ownership and control of slaves, and in numerous instances, as men are found depraved and unprincipled, as is the case everywhere, the rights of master and slave are shamefully abused and trampled upon. In the North the enslavement of a portion of the population is of a different kind. There *society* is the great *slave-holder*, and millions are crushed and victimized beneath the weight and cruelty of its Juggernaut oppressions, without appeal or remedy of any kind. The enlightened student of human nature and the Bible will perceive but little difference in the moral aspects of the one system and the other. The Bible, in fact, after the most distinct recognition of both systems, as extant and prospective arrangements of social organization, without giving preference to either, simply legislates for the due regulation of both, so as to repress as much evil and secure as much good as possible, without any intimation of right or warrant on the part of the church to meddle with the organic structure of the civic social system. The point we make, however, is that with both these systems

before them, with their attendant evils and abuse, and these by no means unequal in comparative magnitude and enormity, our accusers lose sight of the evils at home, and assail us for enduring a state of things, the moral character of which so strictly resembles that of which they themselves form a part, without complaint or remonstrance! Such inconsistencies, in our judgment, must result from prejudice, passion, and policy, rather than principle and conviction. The *grave inconsistency*, however, is between the course of our adversaries and the instructions of the Bible. They refuse to fraternize with us on account of our connection with slavery; overlooking perhaps the irresistible inference that, in doing so, they *reject and denounce* the christianity of the apostolic churches. It would not be difficult to prove that when these were planted and watered by inspired messengers, the slaves of the civilized world quintupled all other classes put together. It is equally susceptible of proof, that converted masters and slaves, under apostolic oversight, were found together in all the churches; and all who have ever read the New Testament, know that there is not an intimation in it, that the abolition of slavery would in any way, promote the interests of christianity! How unfortunate the discrepancy between the creed of our accusers and decisions of the New Testament (not less than the Old) on this subject! In this view of the subject and under such circumstances, we cannot much regret the refusal of the late General Conference to recognize us as a branch of the Wesleyan Methodist family. We are rather glad, in fact, that they did so, as the apostolic churches and christianity itself are found in the same condemnation. We content ourselves with knowing and making it known, that *in view of our*

separation and independence, as they have since taken place, the General Conference of 1844,—a body greatly superior in numbers and experience, and we believe in wisdom and worth,—declared us to be a legitimate, recognized branch of the great Methodist family; a church to which the best and highest of the northern fold might attach themselves "without blame." This is quite enough. We can afford to do without the "fraternity" of the General Conference of 1848. We must have to do with them in other respects. They affect to think lightly of the church, South, and yet show by all their movements, that they feel it to have been no ignoble banding, and it remains for us to let them know that we have a life, a pulse, and a heart of our own; and that, in the proportion it may become necessary, we hope to be able to live without them.

Judging them "in the light of four years' history," we have little to expect of them but injustice and unkindness, and, if we live at all, we perceive it must be in despite their attempts to destroy us. Be it so, we shall abide our fixed purpose, adhere to simple duty, heeding, with God's blessing, the counsel of our fathers, and trying to complete the work they left us to do.

Every indication on the subject, North, goes to show that the church has undergone an entire revolution, both in opinion and feeling on subject of slavery, within the last few years. 1st.—A bold movement has been made to change the general rule on the subject, so that by fair construction, the rule may be made to condemn *domestic* slavery, as it now does, and was originally intended to condemn *the slave trade*. 2d.—The 10th section of the Discipline, in the shape of a conservative law on the subject, has been denounced by Annual Conference an-

thority, as worse than nothing and unworthy of execution, and it was accordingly avowed at Pittsburgh, privately, that it was not worth while to disturb the Baltimore Conference, as "in less than twelve years there would not be a slaveholder in the church within its limits." 3d.—The law, as it now exists, expressly defers to civil authority, as superior to ecclesiastical regulations on the subject; but at the late General Conference *all law and civil polity*, in any way recognizing the rights of slavery, viewed as a social organic arrangement of society under state protection, were denounced as a "curse" not to be endured! Witness the speeches of Tomlinson, Curry, and a dozen others, nearly equal in rancor and malignity. 4th.—The only authoritative exposition of the law of slavery ever given by the General Conference, —that of 1840—showing the highly conservative character of the law—what it allows and what it forbids—but always *subordinate* to civil authority—the law of the land,—this great rule—the late Abolition General Conference abolished; and with it, in every practical sense, went the tenth section itself, to give place, after some decent show of delay, to something better suited to the plans and purposes of the party. 5th.—In proof of this change, the reader will not fail to note, that *all the most important offices and trusts* of the body were filled with men whose *Abolition* principles and interests are becoming more and more notorious every day. 6th.—If this were not so—had this not been known and relied upon, is it to be supposed that the conscientious agitators of the church for the sixteen years preceding would have been silent, and no petitions and memorials presented to the body in furtherance of their political religionism. These restless disturbers of the public peace knew their

work was accomplished to an extent that would allow them to *pause.* They knew the men. There was nothing to fear from the General Conference of 1848, except that the recently *abolitionized West* might be too rabid and headlong for the cooler courage and more disciplined cunning of the northern wing of the party. 7th. —The distinction is now fairly made between the past, and the present, and future. Formerly the church was content to adopt "rules and regulations" respecting slavery intended merely to regulate the question *in the church*—subject to the control of civil authority. Now, however, the church, North, clearly declares her purpose to *legislate* on the subject, and carry out her purposes, with a view to its extirpation, irrespective of the laws and constitutions of the general and state governments. 8th.—Immemorial construction and action have given the old law the character of a "compromise" between the North and the South while together. This character is expressly denied to the law by the General Conferences of 1844 and 1848, and when connected with the repeal of the exposition of the law by the General Conference of 1840, amounts to an *entire change* of the law— to *new legislation* in fact on the whole subject, so that the law as it now exists, is a *libel* upon the avowed opinions of the Northern General Conference, or, more properly, the declared purposes and acts of that body are a libel upon the law. We have said to the North and the South—to all the world, we were willing to abide the law as we had always understood it, and as explained by the General Conferences of 1836 and 1840, by Bishop Hedding, by the protest, and the report on the southern organization; but as distorted and perverted by the General Conferences of 1844 and 1848—as liable to mean anything or no-

thing, as the chicanery and tergiversation of party and interest may suggest or dictate, it can have no place upon our statute book. And finally, as the General Conference, North, has, by the rejection of the authorized construction of the law, deceptively changed its character and prostituted its provisions to unlawful purposes, we give notice to all concerned, that so far from considering ourselves bound by any such construction, we regard it as a legislative fraud, releasing us from our pledge and restoring us to the rights of independent legislative action. This view of the subject becomes the more emphatic and urgent, when the fact is taken into the account, that large portions of the ministry and membership of the Methodist Episcopal Church, North, are not only pursuing a course directly injurious to southern rights and interests, but in direct conflict with the constitution of the United States and the laws of Congress, on the subject of slavery. They are denying and dishonoring, as well in terms as in action, the essential and expressly pledged conditions on which the slave-holding states entered into the confederation, and without which it is known they would not have entered. They are actively engaged in the systematic abuse and depreciation of the character and rights of southern citizens of the United States, constitutionally secured to them by the supreme law of our common country. They are extending countenance and encouragement to the abduction and escape of slaves, and unlawfully interposing obstacles to their recovery by their rightful owners. It is their avowed purpose, not only to disturb but to destroy the relation between master and slave. In view of the rights and securities of citizenship, their position is not only mischievous but dangerous; they are "evil doers." They preach sedition, and practice insubordination to

civil authority. And by how far every citizen is sworn to respect and support the constitution and laws of the United States, they are pursuing a course involving all the guilt of perjury and subornation of perjury, in addition to the high moral blame of acting the part of bad and dangerous citizens. Hence the right and the duty of resistance on the part of Southern Methodists. We believe a perverted, fictitious conscience, and wild, ungoverned fanaticism, have fearfully led the party astray. The revelations of Heaven, and the divine adjudications of Christianity are no longer heeded. They believe and teach what God has not revealed or taught—what his word most plainly disowns. This extra-divine light stands them in stead of other faith and other virtues. They have found a "north-west passage" to truth and Heaven. The *old*—the *yore* of christianity—the trumpet of Sinai and the lessons of the Mount—the faith of Paul and the morals of John, have given place to the greater "availability of modern progress." The evils of which we more immediately complain, are but accidents of the true—the real issue. *Want of reverence for the Word of God*, is, in our judgment, the great productive source of the evils we depict. Whether this disease is at its height—whether the pestilence has spent its force—or we have yet to realize the dog-days of their violence, are questions we are unable to answer. We have repeatedly informed our readers, that remarks of the kind we are now making, are not intended to apply to the whole of the Methodist Church North, but to those who are allowed *officially to represent her*. We speak of the church as represented by her rulers and public organs, since May, 1844.

We invite attention to another view of the subject.

The General Conference, as a party to a contract, and subsequently to a dispute growing out of it, assume the right, and in fact, declare themselves to be the *sole arbiter* of the dispute, and, as the readiest method of settling the dispute, they declare the contract void, and then claim the approval of public opinion, by saying to the injured party, if you persist in urging your claim, we may perhaps consent to submit to arbitration! Were the party to whose conduct, in this as in other instances, we except as an outrage, to regulate their business transactions with others, by the principles so manifestly governing them in relation to the South, what would be the effect? Is there a bank, company, corporation, or capitalist, in New York or Cincinnati, that would not become watchful and guarded in all business intercourse with them; if indeed they could be induced to have any. Were they to have any, what would be their security without prospective resort to a legal enforcement of contracts? For example, the Book Agents are known to have become real estate jobbers, using the "proceeds" of the Book Concern to purchase grounds and put up buildings to let, rent, and thus make money. It is also known that they pay large sums annually, not recognized by law, in the shape of traveling expenses, extra-allowances, and so of the rest. No law of the church, except in a few instances, perhaps, a resolution of the General Conference, authorizes such disbursements; and suppose the Annual Conferences, as they are in direct contravention of the sixth restriction, were to interpose, as in the case of the *bond* of the General Conference, given to the South, in 1844, with 147 signatures attached, (by the call of yeas and nays,) and *repudiate all debts* contracted for such purposes; or require that the money thus expended

should be replaced whence it was taken, for distribution as required by law among Annual Conference claimants, would not such a movement destroy the entire commercial credit of the Book Concern at once? And yet all this, and more, is done with less right than the General Conference had, to pledge the South a *pro-rata* portion of the vested funds of the Book Concern, should they see proper to become "a distinct ecclesiastical connection," as authorized by law in twenty different forms of expression. And as this very conscientious adherence to the stringent exactions of the restriction is urged in bar to paying us our admitted dues, they will, of course, expect to be held to a strict accountability for all such disbursements. The Book Concern is owned by the great body of traveling ministers. They have vested the control of it in the General Conference; and the Annual Conferences, having delegated their right of management to the General Conference, have no control of any kind, beyond a *check* upon the *appropriation* of the *proceeds*—that is the net annual profits. Beyond this check or "restriction," the control of the General Conference is absolute, as shown by the restriction itself, and their responsibility becomes the more direct in consequence. The principle of strict construction, as now maintained against the South, cannot be sustained in equity, and, if persisted in, must destroy the Book Concern.

They define their abolition position and propensities by disturbing the border only. Why, after destroying the Plan, do they most inconsistently confine themselves to the northern border of the southern Conferences? Why do they throw away nineteen twentieths of their reclaimed territory? Was it to prove how honest and conscien-

tious they were in declaring that duty called them "into all the world!" Their consciences would not allow them to keep their word with the South, because they could not reach "the ends of the earth" in that direction with the glad tidings of political anti-slavery, and after informing the world that the only obstacle is removed, instead of eagerly seizing upon the whole field, they content themselves with a narrow strip of border, where it was doubtless supposed a portion of the white population would not be without northern sympathies, and the black could be readily induced to take shelter in a northern fold. Hence they establish a few nominal Conferences on the border the more successfully to disguise their schemes of invasion and agitation, and by way of excuse for having their spies on southern territory to furnish the necessary *material* for agitation and abuse. Accordingly the falsehood is published to the world, that the entire state of Kentucky, without a word of exception or qualification, belongs to the Ohio and Indiana Conferences, when *not one thousandth part* of either its territory or population can be said to sustain *any* ecclesiastical relation whatever to either of those Conferences, any more than Ohio and Indiana can be said to belong to the Kentucky Conference! The South has double the number of adherents in Ohio that the North has in Kentucky; and yet, would public opinion tolerate in us the falsehood of publishing that the State of Ohio belongs to the Kentucky Conference? Such attempts at deception are, in our judgment, utterly irreconcileable with any virtue belonging to the Christian character.

The same remarks and reasoning apply to the beggarly deception attempted to be practised in the instance of their new Missouri Conference. To quiet and flatter

the people of Western Virginia, they establish a Conference of that name. A Western Virginia Conference, with the city of *Wheeling*, the *capital* of Western Virginia, detached and held in bondage to a northern anti-slavery Conference, lest Wheeling, a populous and thriving city, and naturally the heart of the country embraced by the Conference, should exert an influence by means of her various important relations and resources, true to *Southern*, rather than subservient to *Northern* interests!

What other motive can be assigned for such a movement? Who can fail to perceive what was the real policy? Wheeling, naturally at *the head* of every thing connected with public opinion and enterprise in Western Virginia, could not be trusted in the new Conference, but, with other parts and points in Virginia, must be held in leading strings, as vassal dependencies of a northern Conference, although on southern soil! It is not for us to *feel*, but merely state the degradation. We are not authorized to speak for others. The facts, indeed, speak for themselves. But why, we repeat, did the Pittsburgh General Conference confine their proposed operations to border sections, as Kentucky and Missouri? They assign as a high moral reason for destroying the Plan of Separation, that they could not rest—that they were restricted in their "mission," and must "go out into all the world" They accordingly destroy the Plan—declare their former rights, territory, &c., reclaimed, but make no provision to operate in any section of the South, except along the border. If they allege, it was merely their object to supply the half dozen or so societies they had in Kentucky and Missouri, then why assign the reason above, as the ground of action, when, in truth, it was no motive of action with them at all? It is very evident,

we think, their vision and hopes are, for the present, confined to the border; and it admits of serious doubt whether they will ever extend their efforts beyond, or indeed have had any intention of doing so. What they resolved and provided for, is no indication of what they will do. Rare visions of gain and conquest floated before them, at the late General Conference. The time and occasion had long been looked forward to and bided as destined to work fearful mischief to the South, and, accordingly, abuse and denunciation of the South became with the party a service and a dignity—all "pursued the triumph and partook the gale," and large and showy arrangements were made for future *border* operations. With "nearly three thousand" disaffected southern dissentients,—with here and there, at convenient points, an anti-slavery chapel or abolition meeting-house, south of the line — with a supply of abolition preachers, teachers, editors, agents, and adventurers, seeking place and influence on southern soil, and to be sustained by southern capital—with such means and appliances at command, they could not but feel that they had much in their power, so far as the border is concerned—to say nothing of the *accidental* aid to be derived from well-organized companies and bands of northern "men-stealers" and abolition thieves, swelling their numbers and augmenting their forces in the shape of stolen slaves and runaway negroes, of which the demonstrations have been more numerous and formidable, since the late Pittsburgh General Conference, than at any former period during the same length of time, in the history of the country. The infamous business has certainly revived and extended fearfully of late; and be the causes what they may, they can hardly escape the aroused attention and retrib-

utive feeling of the southern border more immediately affected by the lawless depredations of this class of thieves and robbers. We sincerely hope this whole matter will be re-considered by the northern church, and that they will not act upon the plans of inasion, resolved upon by the late General Conference. If they should attempt to carry out the measures we are deprecating, they must expect to be met and treated as they deserve. We beg them, however, in casting their covetous gaze upon the South, to look well to the gloomy rear claiming attention behind. All, we think, will agree that their charity, however diffuse or fervid, can be much more advantageously employed at home, than by the obtrusion of its wasted offal upon our southern border, where it is neither desired nor needed.

The reader is in possession of our views with regard both to the imbecility and the wrong of the paraded act of nullification, respecting the Plan of Separation. We have seen, in a variety of lights and aspects, what it amounts to. The *pledged faith of the supreme council of the church, in the shape of public law*, allowing us to separate peaceably and become independent, should we "find it necessary"—"a contingency," says Bishop Morris, in his letter to Mc. Murry, "which has *actually transpired*," allowing Bishops and ministers of every grade to join us "without blame," assuring us that northern "border societies, conferences, and stations," should unite with southern in the required duty of "adherence," so as to establish a settled boundary between the churches; the definitive pledge that they would observe the "strictest equity" in the division of the common property of the parties; the express obligation to pay us our annual "dividends," until this was done according to contract. The pledge of

their influence and proper exertion with their constituents, the Annual Conferences, to secure the change of the sixth restriction, that no legal difficulty might be pleaded in bar to the division of the funds—all the terms and stipulation of a public charter—a plain legislative grant—these, all and every, disregarded and violated, and thus discrediting all claim to fair and honorable performance on the part of the North; these, we repeat, constitute really the only "nullity" in the case. Supposing, ostensibly at least, that they were conducting a very different ceremony, they proceed, in all the pomp of a funeral train, to give *their own word and honor*, as pledged in the Plan of Separation, and using their own appropriate language, "*the burial of a dog!*" And the fitting eulogy having been duly prepared by the committee of Forty-six, it only remains for Dr. Elliott to *chisel the drapery of the urn!*

When it was informally charged by individuals privately in 1844 that *some* of the northern delegates were pursuing a course, the tendency of which, if not the object, was to drive off the South as a secession and thus deprive them of their share of the church funds, it was denied and denounced as a most unfounded slander; and yet the General Conference had scarcely adjourned until the principal organs of the church formally attempted proof of the position that the South was a secession even then, and especially prospectively, and intimated in every variety of form, that we had no right to any portion of the church property, and nearly the whole church, as represented by its rulers and papers, has been trying ever since to deprive us of our share of the property. The opinion then expressed by a few southern men turns out, notwithstanding all disclaimers, to have been founded in fact, and is now demonstrated to have been literally true. They

have both wished and tried both to drive us into secession and to withhold our property. Who can doubt this after the exhibition of facts to which we direct attention in this Appeal? To our conception, the evidence of such design is upon the face of their whole conduct. Who could simply read the Plan of Separation, and suppose it possible that the South should fall heir to such a dispensation of events as that recorded in this Appeal? It is but too plain, but too certain, that strangely and unaccountably misled and influenced by the pride and perfidy of a few interested leaders, the Methodist ministry, North, soon after the General Conference of 1844, resolved not to abide their solemn engagements with the South, and began to arrange and plot how they might, with least damage to themselves, get rid of the covenant relations affirmed in the Plan of Separation, and betray the South into all the evils of unlawful secession. Let the simple, unquestionable facts of this Appeal, apart from our reasoning and inferences, be carefully weighed and examined, and we cannot doubt that public opinion will decide as we have felt compelled to.

As the letters and opinions of the Hon. Judge McLean have, in different places and various forms, been urged in support of the action of the late General Conference against the South, and knowing as we do that the views of Judge McLean have been essentially *misrepresented*, we deem it due to him and the interests involved, to publish the following sentence from one of his letters to the Chairman of the Board of Southern Commissioners:— "My wish is to *recognize* the South, as *the same church*, under a *distinct* organization, which results from their *local* institutions—that there shall be an *equitable division* of the church property, and that the *same feeling* of

christian fellowship and love shall be cherished, as before the separation." This language needs no comment. The Judge explains himself fully in a single sentence; and the simple truth in the case is all we wish to bring before the public eye. It is known to all that Judge McLean occupies no *partisan* position in this controversy, and that his only object has been to *mediate* an honorable adjustment of difficulties between the parties.

We have written this Appeal in our proper character of southern commissioners for the settlement of the property question, nor should we have departed from the business aspects of our commission, but for the fact that the late General Conference deemed it necessary to mix up the property question with *every other* that has arisen between the parties since 1844. This rendered it necessary that we should follow them, at least so far as to exhibit their true position in relation to the South. We are not aware of having omitted any material point. We have certainly not done so intentionally. We have written under a deep sense of injury, and in the language of rebuke rather than expostulation. For the reasons assigned, we have felt ourselves shut up to such a course. Heretofore in various forms for a term of years we have sought an adjustment of our difficulties with the North, on the ground of good will and brotherly kindness. We had been compelled to treat individuals with severity, but had uniformly and with fraternal kindness recognized the character and claims of *the church*, as a large and influential branch of the Wesleyan family. At their late General Conference, notwithstanding the ungracious treatment we had received from them, and the denunciatory language they had held toward us *as a body*, we officially tendered them, in the person of a beloved and

venerated representative—one they themselves had delighted to honor for near half a century—assurances of continued good will. This offer was most unceremoniously spurned and rejected. Dr. Pierce and the church, South, were treated as utterly *alien* from the commonwealth of northern Methodism, nor are we to this day informed of the true specific grounds of the rejection. It would seem the body had no common ground they could occupy against the South, and all being hostile, each individual was left to satisfy himself and others with regard to his own motives, as he might find it most convenient. All however found sufficient motive to refuse fraternity with the South, and treat us as unworthy of confidence; and we come in accordingly for perhaps a larger share of abuse and anathema than was ever before received by one christian body from another. We were not only denied the rights of an equal contracting party and common brotherhood—admitted and pledged in their own deed of settlement in 1844—but even common courtesy and the ordinary decencies of social intercourse, were withheld. And thus bound and ostracised, we were not only treated as if on our way to perdition, but our arrogant, self-constituted censors seemed disquieted lest it should not be known that they had sent us! Under these circumstances, consistently with self-respect and a strong conviction of the rectitude of our cause, to say nothing of what was due to public opinion, we have not only felt at liberty, but compelled by the nature and urgency of the case, to review the conduct of the northern Methodist Church for the last four years, in the light and language of *simple truth and justice.* Not permitted, by their own deliberate refusal, to meet and treat with them as brethren and christian kindred for the adjustment of difficult-

ies, we have availed ourselves of the only alternative means of defence to which we found ourselves reduced by the position in which they have placed us. Our assailants have chosen the ground on which we meet them, and cannot complain. They have placed in our hands the weapons we employ, and should it turn out that the effect of this course and policy has been but to avenge and betray, the fault and responsibility are their own and not ours. We sought a settlement in a different way, but were refused even a hearing. Before the offensive action of the Pittsburgh General Conference there existed no serious obstacle but *want of disposition* to an amicable adjustment of all difficulty. Now such an adjustment is not to be looked for, and, arraigning the representatives of the Methodist Episcopal Church, North, as defaulters to the plain and express engagements of a solemn conventional compact, annexed as a part of this Appeal, we shall cheerfully await the verdict of public intelligence and virtue.

We appeal from the decision of the late General Conference, in the full confidence that other men and other times will do us justice, and we ask no more. Our conceptions of truth and justice have led us to speak with freedom and severity. To this we have felt compelled, but with no wish to injure or afflict the adverse party, except as it may be incidental to what we have believed a just and truthful vindication of the character and rights of those we represent. We cannot expect the sympathy and approval of others in all we have said. Defending others rather than ourselves, we have indulged in a freedom of animadversion about which we should have been more careful in a strictly personal controversy. We have no wish to be regarded as without fault in the performance of the task assigned us, but at the same time we

have full confidence in the truth and justice of our Appeal, in view of everything material to the general argument submitted.

And finally, as it regards our *claims* upon the Methodist Episcopal Church, whether *moral* or *pecuniary*, we wish it well understood, that, meeting her other engagements with us as stipulated in the Plan of Separation, she will be at liberty to withhold her charity in any form she may prefer. We ask not alms—we sue for our inheritance.

H. B. Bascom.
A. L. P. Greene.
S. A. Latta.

DOCUMENTS.

NO. I.

I hereby certify that the annexed is a *true copy* of a Report presented to the General Conference of the Methodist Episcopal Church on Friday, June 7, 1844, and adopted on the next day.

And I further certify that the THIRD resolution, in the accompanying Report, was adopted by a majority of two-thirds of the General Conference, on a vote by Yeas and Nays, in which, of one hundred and eighty members, one hundred and forty-seven voted affirmatively, and twelve negatively.—(See Journal of the General Conference for Saturday, June 8, 1844, p. 256.)

THOMAS B. SARGENT,
Secretary Genl. Conference, M. E. C.

BALTIMORE, *June* 14, 1844.

The Select Committee of nine appointed to consider and report on the Declaration of the delegations from the Conferences of the slaveholding states, beg leave to submit the following report.

ROBERT PAINE, *Chairman.*

New York, June 7, 1844.

Whereas a *Declaration* has been presented to this General Conference, with the signatures of *fifty-one* delegates of the body, from *thirteen* Annual Conferences in the slaveholding states, representing that, for various reasons enumerated, the objects and purposes of the Christian ministry and Church organization cannot be *successfully* accomplished by them, under the jurisdiction of this General Conference, *as now constituted;* and

Whereas, *in the event* of a separation, (a contingency to which the Declaration asks attention, as not improbable,) we esteem it the *duty* of this General Conference to meet the emergency with Christian kindness, and the *strictest equity;* therefore,

Resolved, by the delegates of the several Annual Conferences in General Conference assembled—

1st. That, should *the Annual Conferences in the slaveholding states find it necessary to unite in a distinct ecclesiastical connection*, the following rule *shall* be observed with regard to the northern boundary of such connection: All the societies, stations, and conferences, *adhering to the Church in the South*, by the vote of a majority of the members of said societies, stations, and conferences, shall remain under the unmolested pastoral care of the Southern Church; and the ministers of the M. E. Church shall in no wise attempt to organize Churches or Societies within the limits of the *Church South*, nor shall they attempt to exercise any pastoral oversight therein; it being understood that the ministry of the South *reciprocally* observe the *same rule* in relation to stations, societies, and conferences adhering, by vote of a majority, *to the M. E. Church;* provided that this rule shall apply only to societies, stations, and conferences bordering on the line of division, and not to interior charges, which shall, in all cases, be left to the care of that Church within whose territory they are situated.

2d. That ministers, local and travelling, of every grade and office, in the M. E. Church, may, as they prefer, remain in that Church, or, *without blame*, attach themselves to the *Church South*.

3d. *Resolved*, By the delegates of all the Annual Conferences in General Conference assembled, that we recommend to all the Annual Conferences, at their first approaching sessions, to authorize a change of the sixth restrictive article, so that the first clause shall read thus: "They shall not appropriate the produce of the Book Concern, nor of the Chartered Fund, to any purpose other than for the benefit of the travelling, supernumerary, superannuated, and worn-out preachers, their wives, widows, and children, and to such other purposes as may be determined on by the votes of two-thirds of the members of the General Conference."

4th. That, whenever the Annual Conferences, by a vote of three-fourths of all their members, voting on the third resolution, shall have concurred in the recommendation to change or alter the sixth restrictive article, the agents at New York and Cincinnati shall, and they are hereby authorized and directed to deliver over to any authorized agent or appointee of the *Church South*, (should one be organized,) all notes and book accounts against the ministers, church members, or citizens, within its bounds, with authority to collect the same for the sole use of the Southern Church; and that said agents also convey to the aforesaid agent or appointee of the South, all real

estate, and assign to him all the property, including presses, stock, and all right and interests connected with the printing establishments at Charleston, Richmond, and Nashville, which now belong to the M. E. Church.

5th. That, when the Annual Conferences shall have approved the aforesaid change in the sixth restrictive article, there shall be transferred to the above agent of the Southern Church so much of the capital and produce of the Methodist Book Concern as will, with the notes, book accounts, presses, &c., mentioned in the last resolution, bear the same proportion to the whole property of said Concern, that the travelling preachers in the Southern Church shall bear to all the travelling preachers of the Methodist Episcopal Church: the division to be made on the basis of the number of travelling preachers in the forthcoming Minutes.

6th. That the above transfer shall be in the form of annual payments of twenty-five thousand dollars per annum, and specifically in stock of the Book Concern, and in southern notes and accounts due the establishment, and accruing after the first transfer mentioned above; *and until all the payments are made, the Southern Church shall share in all the net profits of the Book Concern*, in the proportion that the amount due them, or in arrears, bears to all the property of the Concern.

7th. That Nathan Bangs, George Peck, and Jas. B. Finley be, and they are hereby appointed commissioners to act in concert with the same number of commissioners appointed by the Southern organization, (should one be formed,) to estimate the amount which will fall due to the South by the preceding rule; and to have full powers to carry into effect the whole arrangement proposed with regard to the division of property, (should the separation take place.) And if, by any means, a vacancy occurs in this Board of Commissioners, the Book Committee at New York shall fill said vacancy.

8th. That, whenever any agents of the Southern Church are clothed with legal authority, or corporate power to act in the premises, the agents at New York are hereby authorized and directed to act in concert with said Southern agents, so as to give the provisions of these resolutions a legally binding force.

9th. That all the property of the Methodist Episcopal Church, in meeting houses, parsonages, colleges, schools, conference funds, cemeteries, and of every kind, within the limits of the Southern organization, shall be for ever free from any claim set up on the part

of the Methodist Episcopal Church, so far as this resolution can be of force in the premises.

10th. That the Church so formed in the South shall have a common right to use all the copy rights in possession of the Book Concerns at New York and Cincinnati, at the time of the settlement by the commissioners.

11th. That the book agents at New York be directed to make such compensation to the conferences South, for their dividend from the Chartered Fund, as the commissioners above provided shall agree upon.

12th. That the bishops be respectfully requested to lay that part of this report requiring the action of the Annual Conferences before them as soon as possible, beginning with the New York Conference.

NO. II.

(Note.) Extracts from the Decision of the Court of Appeals of Kentucky in the celebrated Maysville case, in which opinion the whole ground of controversy between the North and the South of the Methodist Episcopal Church, affecting the most important rights of the parties, is subjected to elaborate and careful examination by the distinguished jurists composing the court:

"The General Conference of 1844, having adopted measures which, by many southern delegates, were deemed injurious to the rights, and character, and usefulness of the southern ministry of the Methodist Episcopal Church, a declaration signed by the southern delegates, and stating their apprehension of the necessity of a separation, was presented to the General Conference, which thereupon passed a set of resolutions providing for the manner and consequences of the anticipated separation, should it be found necessary, and authorizing, in that event, a distinct southern organization.

"Under the sanction of these resolutions, a convention of delegates from fifteen southern conferences assembled in 1845, renounced by solemn act their connection with the pre-existing organization and the jurisdiction of the General Conference as then constituted, and, retaining the same faith and doctrine, the same rules and discipline, and the same form of constitution and government, established for themselves a new and independent organization, under the name of 'the Methodist Episcopal Church, South.'"

"We are called on to apply to the consequences of a catastrophe

which, if it had not occurred when and as it did, must at some time have happened, the provisions of a deed which, having been made when the church was united and division not contemplated, refers, as might be expected, to the existing name and organs and action of a united church. The one united Methodist Episcopal Church referred to in the deed, and extending its name and authority to the utmost limits of the United States, having ceased to exist, by division into two churches of distinct territorial jurisdiction, there is in fact no such church as is contemplated in the deed, and therefore no General Conference of such a church, no ministers and preachers of such a church, no members of such a church."

"Does the fact that there still remains a portion, whether small or large, of the original body under the original name of the whole, invalidate the separation, or the rights of the separating portion? Could the remaining portion of the original body re-assert, in the name of the whole, the jurisdiction which had been renounced by the whole, or revoke the assent which the whole body had once given to the independence of the separating portion? Certainly if the whole body had power, by assent and co-operation, to legalize the separation and its independence of a part of itself, the remaining portion of the original body, though retaining the original name of the whole, would have no power, after such assent had been given and acted on, to undo, by its own mere will, what the entire body had authorized. Whatever else may be implied from the identity of name, it cannot give to the present Methodist Episcopal Church a jurisdiction which the original church had alienated.

"But it seems to us too evident to require illustration, that the rights and jurisdiction of the Southern Church, and the rights of its members, are precisely the same within its own organization, as if the present Methodist Episcopal Church were called the Methodist Episcopal Church, North; that if the southern organization has the sanction of the original church, it can suffer no disparagement from having been the separating portion, but its independence and jurisdiction are complete; and that, to the extent of its jurisdiction, it stands in the place of the Methodist Episcopal Church, and is to be so regarded, as well in giving construction and application to these deeds, as in determining the rights and duties of its members."

"That a church organization, a self created body, subject so far as its own constitution and organization are concerned, to no superior will, cannot by its own assent authorize and legalize its own

dismemberment, is a proposition contradicted by reason and analogy. That such a measure is inconsistent with the motives and ends of its institution, is no more true with regard to such a body, than with regard to other associations, private or national. Even in the case of states and empires, the unauthorized separation of a part, though originally illegal, and subjecting the separatists to reclamation and punishment by the remaining government, is legalized by its subsequent assent, with the effect of establishing, in the separating portion, all the rights of independence and self-government."

"It does not admit of question that such a power belonged to the Methodist Episcopal Church, and that *prima facie* the General Conference, the supreme active organ of its government, clothed with powers of legislation almost unlimited, and having alone, in case of unlawful secession, the right of recognition or reclamation, might effectually exercise the power in advance. Indeed, the history of the church shows that many years since the General Conference, without reference to its constituents, assented to the separation and independence of the Canada Conference, then forming an integral portion of the general organization, and having, or entitled to have, its delegates in the General Conference itself. And although there seems to have been some doubt on the question of power, we do not perceive that the grounds of that doubt bring in question the power of the General Conference, any more than that of the church at large, which is unquestionable. The measure, however, was adopted, and no doubt has been since entertained of the lawful independence of the Canada Conference."

"We think it must be conceded that, in the absence of express provision to the contrary, the General Conference has the right, on its own judgment of the necessity of the case, to assent to, and thus to legalize the separation of a part of the church."

"The evidences in favor of the validity of the act of the General Conference now in question are so strong as almost to preclude the possibility of a conclusive demonstration against it, and certainly too strong to be overthrown by any doubtful construction.

"If the question of power were doubtful, we should be bound to regard the act of the General Conference as the act of the church, and therefore as effectual."

"The resolutions, constituting the plan of separation, do not expel any individual from the society of which he was a member, nor deprive him of any privilege of property or worship pertaining

to that society. But as they propose and provide for a complete separation, according to the organic or territorial divisions of the church, they necessarily involve a partition of the governing power between two jurisdictions, each possessing, within its territorial limits, the same authority and power as had previously belonged to the whole church."

"To say that the church could not be legally or rightfully divided, according to its organic or territorial parts, without the unanimous consent of all the members of the entire church, or even of all the members of the part proposed to be separated, would be to deny the power of division by any mode of action, since it would subject it to an impossible condition."

"And although one or more Annual Conferences might be incompetent, by their separate action, against the consent of the General Conference, to bind to an independent organization the local societies connected with them, we are satisfied that the joint and co-operative action of the General Conference, and the several Annual Conferences concerned, was fully competent to determine the question and fix the limits of separation, and to establish, over the several societies within those limits, the jurisdiction of the new organization."

"In determining upon the legality of the actual state of things consequent upon a great movement of this character, every part of the proceeding should be liberally construed, to effectuate the apparent and reasonable intention of the parties, and there is no room for technicality. Then it is apparent upon the face of the resolutions that there is but one condition upon which the separation and the sanction of the General Conference are to depend, which is, that the Annual Conferences in the slave-holding states should find it necessary to erect an independent ecclesiastical connection, &c. The distribution of the book concern and chartered fund is obviously intended to be a consequence of the separation, and not a condition on which it is to depend. And the reference to the several Annual Conferences for a modification of the restrictive rule, was evidently for the purpose of authorizing the intended distribution, and not of authorizing the separation. The slave-holding conferences, referred to in the first resolution, are such as were situated wholly in the slave-holding states. And the delegates from all these conferences assembled in convention having declared the necessity

of separation, and erected an independent ecclesiastical connection, the prescribed condition has been complied with."

"As to the actual necessity for separation, that is, the existence of such a state of things as justified it, or rendered it proper, this, if it could ever have been a judicial question, is no longer so. It has been decided by the concurring judgment of the General Conference and the southern or slave-holding conferences, to which it was referred, and by the fact itself of an actual separation by agreement between the whole and the separating part, which is presumptively the strongest evidence of a high expediency, amounting to necessity.

"But the separation having, as we have seen, been effected by competent powers in the church, and under the condition and in pursuance of the plan prescribed by the General Conference, its legality in view of the civil tribunal can be in no degree dependent upon the sufficiency, in point of discretion or policy, of the causes which led to it. It is sufficient that the church, through its competent agents, has authorized the separate organization and independent self-government of the southern conferences, and that they have so acted under the authority as to clothe their movement with the sanction of the church. This being so, the southern church stands not as a seceding or schismatic body, breaking off violently or illegally from the original church, and carrying with it such members and such rights only as it may succeed in abstracting from the other, but as a lawful ecclesiastical body, erected by the authority of the entire church, with plenary jurisdiction over a designated portion of the original association, recognized by that church as its proper successor and representative within its limits, commended as such to the confidence and obedience of all the members within those limits, and declared to be worthy of occupying towards them the place of the original Methodist Episcopal Church, and of taking its name. Such, though not the express language, is the plain and necessary import of the resolutions, in authorizing the formation of a southern ecclesiastical connection or church, and prescribing a rule for ascertaining its limits; in leaving to the unmolested care of the anticipated southern church all the societies, &c., within its limits, and stipulating that within those limits no new ones shall be organized under the authority of the Methodist Episcopal Church; in declaring that ministers may take their place in the southern connection without blame, and in denominating the southern church "the Church South." The provision made for a rateable distribution of

the funds of the church, and the relinquishment of all claim to the preaching houses, &c., within the limits of the southern connection, are of a similar character with the other features of the resolutions, and attest the equity and magnanimity of the late General Conference. That body had, however, no proprietary interest in the preaching houses, and could only transfer its jurisdiction over them, which is done by the resolutions and the proceedings under them.

"The result is, that the original Methodist Episcopal Church has been authoritatively divided into two Methodist Episcopal Churches, the one North and the other South of a common boundary line, which, according to the plan of separation, limits the extent and jurisdiction of each; that each, within its own limits, is the lawful successor and representative of the original church, possessing all its jurisdiction, and entitled to its name; that neither has any more right to exceed those limits than the other; that the southern church, retaining the same faith, doctrine, and discipline, and assuming the same organization and name as the original church, is not only a Methodist Episcopal Church, but is in fact, to the South, the Methodist Episcopal Church as truly as the other church is so to the North, and is not the less so by the addition of the word South, to designate its locality. The other church being, by the plan of division, as certainly confined to the north as this church is to the south of the dividing line, is as truly the Church, North, as the southern church is the Church, South. The difference in name makes no difference in character or authority."

"That the resolutions, constituting the law of the case, intended that the minority should acquiesce in the determination of the majority, is manifest, not only from their general tenor and objects, but more especially from the failure to make any provision for a seceding minority, and from the express stipulation that the church to which such minority might desire to adhere, shall organize no societies within the limits of the other."

"It is sufficient for the purposes of this case to have ascertained that the Methodist Episcopal Church, South, has within the limits of its organization, as fixed under the rule prescribed by the General Conference of the original church, all the rights and jurisdiction of that church, to the exclusion of the present Methodist Episcopal Church."

"It has already been sufficiently shown that the addition of the word 'South' to the name of the Southern Methodist Episcopal

Church, cannot affect the rights either of that church or of its members; and that the members of a local society, entitled to the use of local property under this or other similar deed, before the division, do not lose their right by adhering to the Methodist Episcopal Church, South, under the resolutions of the General Conference of 1844."

NO. III.

Appointment of Commissioners by the General Conference of the M. E. Church, South, with instructions.

1. *Resolved*, by the Delegates of the several Annual Conferences of the Methodist Episcopal Church, South, in General Conference assembled, that three commissioners be appointed in accordance with the "Plan of Separation," adopted by the General Conference of the Methodist Episcopal Church in 1844, to act in concert with the commissioners appointed by the said M. E. Church, to estimate the amount due to the South, according to the aforesaid "Plan of Separation," and to adjust and settle all matters pertaining to the division of the Church property and funds, as provided for in the "Plan of Separation," with full powers to carry into effect the whole arrangement with regard to said division.

2. *Resolved*, That the commissioners of the M. E. Church, South, shall forthwith notify the commissioners and Book Agents of the Methodist Episcopal Church of their appointment as aforesaid, and of their readiness to adjust and settle the matters aforesaid, and should no such settlement be effected before the session of the General Conference of the Methodist Episcopal Church in 1848, said commissioners shall have power and authority for, and in behalf of this Conference, to attend the General Conference of the M. E. Church, to settle and adjust all questions involving property or funds which may be pending between the M. E. Church and the M. E. Church, South.

3. *Resolved*, That should the commissioners appointed by this General Conference, after proper effort, fail to effect a settlement as above, then, and in that case, they shall be, and are hereby authorized to take such measures as may best secure the just and equitable claims of the M. E. Church, South, to the property and funds aforesaid.

4. *Resolved*, That John Early be, and he is hereby authorized to act as the agent or appointee of the M. E. Church, South, in conformity to the "Plan of Separation" adopted by the General Conference of 1844, to receive and hold in trust for the use and benefit of the M. E. Church, South, all property and funds of every description, which may be paid over to him by the agents of the M. E. Church.

5. *Resolved*, That the commissioners, appointee, and Book Agent report to the next General Conference of the M. E. Church, South.

6. *Resolved*, That should a vacancy occur in the Board of Commissioners, or in the office of appointee, herein provided for, by death or otherwise, in the interim of the General Conference, then, and in that case, the remaining members of the board shall have power to fill such vacancy, with the approbation of one or more of the Bishops. W. A. SMITH, *Chairman.*

"The Conference then proceeded to appoint by ballot the three commissioners provided for in the report. On the first balloting, H. B. Bascom, A. L. P. Greene, and S. A. Latta were elected to that office."

I certify that the foregoing report was adopted by the General Conference of the Methodist Church, South, at its session in Petersburgh, Va., in May, 1846; and that the above is extracted from the journal of its proceedings as aforesaid.

T. N. RALSTON,
Sec'y. Genl. Conf., M. E. C. S.

LEXINGTON, KY., *July* 10, 1848.

NO. IV.

The general conference of 1844 in the provisional plan of a division of the Church property with the South, appointed three commissioners in behalf of the Northern branch of the Church to act co-operatively with like commissioners to be appointed on the part of the South. Our Southern General Conference of May last appointed commissioners accordingly, who met in Cincinnati in August last, and addressed the following communication to the commissioners of the North—personally and privately. Rev. J. B. Finley, one of the Northern commissioners, has responded through the Western Advocate, and we now deem it proper to let our readers see the communication of our commissioners and Mr. Finley's reply in con-

nection. The argument of commissioner Finley is sufficiently original. In substance it is, 1. The Conferences voted against the change. 2. The commissioners had no means of knowing how the Conferences voted. 3. No body had any authority to give them the information. 4. The South had forfeited all claim to the benefits of such vote if it was given.

"The undersigned, commissioners appointed by the late General Conference of the Methodist Episcopal Church, South, in accordance with the plan of separation, adopted by the General Conference of the Methodist Episcopal Church in 1844, to act in concert with the commissioners of said Methodist Episcopal Church, specially appointed for the purpose, in estimating the amount of property and funds due to the Methodist Episcopal Church, South, according to the plan of separation aforesaid, and to adjust and settle all matters pertaining to the division of the Church property and funds as agreed upon and provided for in said plan, with full powers at the same time to carry into effect the whole arrangement, with regard to said division of property, would respectfully give notice to the Rev. Dr. Bangs, Dr. Peck, and Rev. James B. Finley, commissioners, and the Rev. George Lane and C. B. Tippett, Book Agents of the Methodist Episcopal Church, that they are prepared to act in concert with them, as the plan of separation contemplates, and requests in an amicable attempt, to settle and adjust all the matters and interests to which the appointment of each Board of Commissioners relates—that is to say, all questions involving property and funds which may be pending between the Methodist Episcopal Church, and the Methodist Episcopal Church, South. And as necessary to such a result, in the judgment of the commissioners, South, they would respectfully suggest and urge the propriety and necessity of a joint meeting of the Board of Commissioners, North and South, at a period as early as practicable, that the intention of the plan of separation, in this respect, may not be defeated by unnecessary delay. It has been the aim of the General Conference of the Methodist Episcopal Church, South, to see that all the terms and stipulations of the plan of separation be strictly complied with on their part, and provision has been accordingly made that the Rev. John Early, Book Agent of the Methodist Episcopal Church, South, and its appointee to receive the property and funds falling due to the South, be duly and properly clothed with the legal and corporate powers required by

the plan of separation. And the undersigned commissioners are not able to perceive any valid reason or reasons why the negotiation respecting the division of property should not proceed in the hands of the joint commissioners without delay, and hence request the joint meeting of the commissioners of the bodies they represent to judge and determine whether the Annual Conferences have authorized the change of the 6th restrictive rule, and as no such decision can be had until given by them, it seems important that such decision should be given by them as soon as practicable, and we know of no mode of conclusive action in the case, except by a joint meeting of the commissioners. The plan of separation provides for no intermediate action between that of the Annual Conferences, and that to be had by the commissioners, and unless the commissioners *North* are in possession of information, clear and satisfactory, that the action of the Annual Conferences, in the aggregate *vote* given by them, is adverse to the recommendation of the General Conference, it is obviously made their duty by the plan of separation, to meet and decide the question. From all the information in our possession, we see no reason why we should not act upon the assumption, that the proposed change in the restrictive rule has been authorized. The language of the Discipline is, "Upon the concurrent recommendation of three-fourths of all the members of the several Annual Conferences, who shall be present *and vote* upon such recommendations." The language of the plan of separation is, "Whenever the Annual Conferences, by a vote of three-fourths of all their members *voting* on the third resolution." It follows hence, that both by the language of the Discipline and that of the plan of separation, the question was to be settled by the aggregate vote of those members of the several annual conferences, who were present in their annual sessions, when the question came up, and *actually voted* upon it. If any refused or failed to vote, with such we have nothing to do, they cannot be regarded as either for or against the measure. They declined the right of suffrage by refusing to act, and the determination of the question rests with those who were present *and voted* in accordance with the law. In the instance of several annual conferences, the vote was contingent, and future events, now to be judged of by the commissioners, were to give an *affirmative* or *negative* character to their votes. In the instance of two of these at least (and we believe it to be equally true of four) it is susceptible of the

clearest proof, that, by their *own official showing*, their votes must, beyond all doubt, be counted in the affirmative, or not at all, and in either case and indeed without reference to either, taking no account of the conferences which refused to vote, it is believed the constitutional majority of all the votes given was in favor of the change, and it will, it seems to us, devolve upon the commissioners of the Methodist Episcopal Church, to make the contrary appear, before they can in good faith refuse to carry into effect the plan of separation. To settle this question fairly and honorably, and in accordance with the facts in the case, it is believed that a meeting of the commissioners is indispensable. To this we may add, that the most weighty considerations, both of justice and humanity, demand alike that the question be settled as early as possible, as the dividends to which we are declared entitled by the plan of separation, and which that plan pledges shall be paid to us, until the division of property shall actually take place, have already been withheld, and our "travelling, supernumerary, superannuated and worn out preachers, their wives, widows, and children, are literally suffering for the want of funds given in trust for their support, funds to which the General Conference of 1844 not only declared them entitled, but solemnly stipulated to divide with them upon principles of "Christian kindness and strictest equity."

The division of property and funds stipulated contemplates no gratuity to the South, for it is well known that in receiving all the plan of separation accords to us, we are receiving but a part of what the South has contributed to the common fund in question.

There is another view of this subject, which, in our judgment should not be overlooked by the commissioners. The proposed change in the restrictive rule was regarded by all who favored the plan of separation in the General Conference of 1844, merely as means to an end. The end aimed at was an equitable division of the church property, and the more certainly and securely to effect this, within the established forms of law and order, the change in question was proposed; such change, however, or the want of it, cannot possibly affect, in any form, the question of right or the true issue in a legal process, should it be found necessary to institute such process.

The Methodist Episcopal Church, South, intends a most sacred appropriation of the funds they may receive, exclusively to the purposes specified in the 6th restrictive article, and not intending to di-

vert them in any way to any other object or purpose, the change recommended by the General Conference can only be regarded as a matter of form, subordinate, in every high moral and legal sense, to the end had in view by the body in the adoption of the plan of separation. The object in calling attention to this view of the subject is not in any way to supersede the plan of separation, but to insist, as we shall always continue to do, that unless the letter of the plan shall interpose insuperable difficulties, its spirit and intention plainly and imperatively demand, at the hands of the commissioners, that they carry it into effect, and that they cannot fail to do so without a grave abuse of the trust reposed in them. Hence again, we urge that a meeting of the commissioners at any early day, is necessary to settle this preliminary question, which it appears to us can be conclusively settled in no other way.

It certainly cannot be necessary that we remind the commissioners and Book Agents of the Methodist Episcopal Church, that the peace and quiet, not less than the character and hopes of the Church, North and South, urgently require that this great property question be settled as soon as practicable, and we are most anxious that it should be done amicably and with good feeling, and especially that it may be done without an appeal to the civil tribunals of the country, and the General Conference of the Methodist Episcopal Church, South, have accordingly instructed their commissioners to look to such an issue as the last resort, in view of the adjustment aimed at.

In conclusion, the commissioners of the Methodist Episcopal Church, South, in view of the facts and considerations to which they have adverted in this communication, would respectfully and urgently call upon Dr. Bangs, as chairman of the commissioners of the Methodist Episcopal Church, to call a meeting of the joint Board of Commissioners, as herein before indicated, and we cheerfully concede to him the right, so far as we are concerned, of fixing *the time* and *place* at any period, between the last of October and the first of March next. Very respectfully,

H. B. BASCOM,
A. L. P. GREENE,
S. A. LATTA.

CINCINNATI, OHIO, *August* 25, 1846.

P. S.—We would respectfully ask and claim, upon the ground of justice and right, that the Commissioners and Book Agents of the Methodist Episcopal Church, make a direct call, by authority of the General Conference of 1844, upon the Secretaries of all the annual

conferences of the Methodist Episcopal Church, for an authentic, attested statement of the vote or action of each conference, in relation to the change of the 6th restrictive rule, and the commissioners of the Methodist Episcopal Church, South, will do the same within the limits of the Southern Organization.

H. B. BASCOM,
A. L. P. GREENE,
S. A. LATTA.

NO. V.

To H. B. Bascom, A. L. P. Greene, and S. A. Latta, Commissioners of the Methodist Episcopal Church, South.

DEAR BRETHREN:—We have received your communication dated the 25th August, 1846, requesting us to call a joint meeting of the Commissioners appointed by the General Conference of 1844 of the Methodist Episcopal Church, and the Commissioners appointed by the General Conference of 1845 of the Methodist Episcopal Church, South, in order to adjust the property question, as provided for in the provisional plan of separation adopted by the General Conference of 1844.

In reply to this we have to say that, in our judgment, we have no authority to act in the premises, as we have never been officially notified that the requisite number of votes in the several annual conferences has been given in favor of the alteration in the sixth restrictive rule in the constitution of the church, nor have we any authority to call on the Secretaries of the several annual conferences to give us the requisite information as you have suggested.

On these accounts we must respectfully decline to act in the premises, as our action would, in our opinion, be null and void.

W. BANGS,
GEO. PECK,
J. B. FINLEY.

NEW YORK, *October* 14, 1846.

NO VI.

PITTSBURGH, *May* 11, 1848.

To the Bishops and Members of the General Conference of the Methodist Episcopal Church, in General Conference assembled.

REV. AND DEAR BRETHREN:—The undersigned Commissioners and Appointee of the Methodist Episcopal Church, South, respectfully represent to your body, that pursuant to our appointment, and in obedience to specific instructions, we notified the Commissioners and Agents of the Methodist Episcopal Church, of our readiness to proceed to the adjustment of the Property Question, according to the plan of separation, adopted by the General Conference of 1844. And we furthermore state, that the Chairman of the Board of Commissioners of the Methodist Episcopal Church informed us they would not act in the case, and referred us to your body for the settlement of the question as to the division of the property and funds of the church. And, being furthermore instructed by the General Conference of the Methodist Episcopal Church, South, in case of a failure to settle with your Commissioners, to attend the session of your body in 1848, for the "settlement and adjustment of all questions involving property and funds, which may be pending between the Methodist Episcopal Church, and the Methodist Episcopal Church, South" take this method of informing you of our presence, and of our readiness to attend to the matters committed to our trust and agency by the Methodist Episcopal Church, South; and we desire to be informed as to the time and manner in which it may suit your views and convenience to consummate with us the division of the property and the funds of the Church, as provided for in the plan of separation, adopted with so much unanimity by the General Conference of 1844. And for our authority in the premises we respectfully refer you to the accompanying document, marked A.

A. L. P. GREENE,
C. B. PARSONS, } *Commisssioners.*
L. PIERCE,

JNO. EARLY, *Appointee.*

To this communication no reply was received.

NO. VII.

PITTSBURGH, 18th *May*, 1848.

The undersigned, Commissioners of the M. E. Church, South, appointed by the General Conference of said church, in accordance

with the plan of separation adopted by the General Conference of the M. E. Church in 1844, would respectfully represent to Rev. Nathan Bangs, George Peck, and James B. Finley, Commissioners on the part of the M. E. Church, that it is important their stay in the city should not be prolonged beyond the period necessary to accomplish, as far as may be found practicable, the objects of their commission—and with a view to a correct decision in the case, the undersigned beg leave to enquire—1st. Whether as Commissioners, appointed by the General Conference of 1844, to act in concert with a similar Board of Commissioners in behalf of the church, South, provided for in the plan of separation, you regard yourselves as authorized to act in the premises, under the authority above, and if so, in what form? 2nd. Should your answer to this enquiry be in the negative, we would respectfully ask, have you any thing to propose to us, as Commissioners of the M. E. Church, south, designed to carry into effect the provisions of the Plan of Separation, having reference to the division of the church property?

Very truly and respectfully,

H. B. BASCOM,
A. L. P. GREENE,
C. B. PARSONS.

Rev. N. BANGS, GEORGE PECK, and JAS. B. FINLEY.

NO. VIII.

PITTSBURGH, *May 20th*, 1848.

Rev. Messrs. H. B. Bascom, D. D., A. L. P. Greene, and C. B. Parsons:

GENTLEMEN—The undersigned have the honor to acknowledge the receipt of your communication of the 18th inst., and would respectfully reply—

1. That the conditions upon which their powers, as "Commissioners" appointed by the General Conference at its session in 1844, were made to depend, having failed, they have not, and never had, power to act in the matter in question.

2. In accordance with the above view, they would respectfully say that they have nothing to "propose" to you, touching these matters.

With sentiments of esteem,

Yours,

GEORGE PECK,
JAMES B. FINLEY.

FINAL ACTION OF SOUTHERN COMMISSIONERS.

At a meeting of the commissioners of the Methodist Episcopal Church, South, 9th September, 1848, the following explanatory statement and resolution were unanimously adopted,—Bishops Soule, Andrew, Capers, and Paine, and Rev. Jno. Early, book agent, being present and consenting.

The commissioners having been strongly impressed for the last four years with the apprehension that no fair and equitable settlement of the property question between the northern and southern divisions of the church could be had without an appeal to legal process, had purposed bringing suit in conformity with the instructions under which they acted, early after the adjournment of the late northern General Conference, should that body fail to take any conclusive action in the premises, and were only deterred from doing so by the attempt of that body to secure the sanction of the church and public opinion to a mode of settlement in contravention of the Plan of Separation, and to which the southern commissioners could not consent without admitting the invalidity of that instrument — and having waited nearly four months, in deference to what public opinion might require of us, and in courtesy to the adverse party, without having received any proposition from the church, North, the northern General Conference having avowed want of authority to act in the case, and having failed to secure the constitutional majority of two thirds preparatory to a change of the restriction, pleaded as a barrier to action, and without which no change of the restriction can be even recommended by the General Conference,—and action having

been had by several of the northern Annual Conferences authorizing the opinion, that the requisite three fourths majority of their members would never consent to any mode of settlement to which the South could consent without the forfeiture of important rights—these conferences, moreover, having failed at their recent sessions to make any movement toward a change of the sixth restriction—and several Annual Conferences, South, as well as individual claimants, having intimated a determination to seek legal redress independently of the Commissioners unless they proceeded to bring suit — the long neglected claims of the superannuated ministers, their wives, widows, and children, upon which many of them have to rely for subsistence almost exclusively being extremely urgent—the church, South, being unwilling to create another similar fund until it is known, after fair legal trial, that our equitable share of the existing fund cannot be recovered—and as arbitration is spoken of *not in fulfilment* of the contract between the parties but as a consequence of its *denial and repudiation*, the adverse party thus seeking to avail themselves of a *false issue* deeply injurious to the South as a mode of settlement, and to which the southern commissioners had explicitly informed them they could not submit—and having informed the Rev. George Lane, the principal book agent North, at his own request in May last, that we could not under our instructions consistently delay bringing suit to a period later than the date of the action now had—and believing the late General Conference had no authority or control of any kind over the property question except in accordance with the conditions of the contract, as they had by special provision and transfer at the session of 1844 placed the entire

settlement of the whole question in the hands of agents and commissioners—and regarding the action of the late General Conference in their attempt at the destruction of the Plan of Separation, and the substitution of a new and adverse mode of settlement, placing in jeopardy rights and claims previously admitted and provided for, as a gross, unlawful trespass, and therefore null and void in all its aspects and bearings—for these reasons, in connection with the facts and reasonings of the foregoing Appeal, of which this brief statement and the accompanying resolution form a part—therefore deeply regretting the necessity of the measure, but deeming it important to the interests involved—Resolved, That it is expedient and necessary, in view of the rights and interests in controversy, that the necessary suits be instituted as soon as practicable, for the recovery of the funds and property falling due to the Methodist Episcopal Church, South, under the contract of the Plan of Separation, adopted by the General Conference of 1844.

H. B. Bascom.
A. L. P. Greene.
S. A. Latta.

(Final Note.) Dr. Latta being prevented by extreme illness from meeting the Commissioners in Pittsburgh in May last, the Rev. C. B. Parsons was duly appointed *ad interim* in his stead. Hence the name of C. B. Parsons appears upon the title page and that of Dr. Latta at the close of the Appeal.

As H. B. Bascom did not reach Pittsburgh until the 13th of May, Dr. Pierce was in due form substituted in his place *ad interim*, and his name is accordingly appended to a communication addressed to the General Conference.