8-25-1846

Letter from Henry Bidleman Bascom, A.L.P. Green & S.A. Latta to James B. Finley

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The undersigned Commissioners appointed by the late General Conference of the A. E. Church, South, on account of the Plan of Separation adopted by the General Conference of the A. E. Church in 1852, to act in concert with the Commissioners of said A. E. Church, especially appointed for the purpose of determining the amount of property and funds due to the A. E. Church for the use of the plan of separation forwarded to them, do settle all matters pertaining to the division of the Church property and funds agreed upon and provided for, and that with full power at the same time to carry into effect the whole arrangement made with regard to land division of property, text, etc., and that fully given herein to the Rev. S. King, A. B. and J. B. Holy, Commissioners, and the Rev. D. C. A. B. S. D. S. T. of the A. E. Church, that they are empowered to act in concert with them, as the Plan of Separation contains, and that all matters and questions to which the official meeting of each Board of Commissioners and the other matters and questions involved in the property and funds which may be arising between the A. E. Church and the A. E. Church, and as necessary to such a result in the settlement of the amounts and funds, they would respectfully suggest as to the necessity and necessity of a joint meeting of the Board of Commissioners of said Church and the A. E. Church so as to perform any such duties as a joint body, subject to the understanding that the undersigned Commissioners shall not be delayed by any necessity or delay. It has been the duty of the General Conference of the Church to see that all the plans and specifications of the Plan of Separation have been complied with in their part, and that provision has been accordingly made, and that the undersigned, with the consent of the A. E. Church, have acted and done all that is necessary to carry the property and funds arising out of the said Plan of Separation into effect.
The duly qualified and the legal corporate powers enjoyed by the Plan of Separation.

The undersigned Commissioners are not able to procure any valid reason, or evidence, of the legislature, or any other authority, why they should not proceed in the hands of the said Commissioners, as directed by this Act, and hence excluded the joint Meeting demanded above. As the Plan of Separation provides, it vests the power in the General Assembly to judge and determine the term of the Annual Conferences, and to determine the term of the General Assembly; the power to judge is vested in the General Assembly.

The Plan of Separation provides for an intermediate action between that of the Annual Conference and that to be had by the Commission, and it vests the power in the General Assembly to judge and determine the term of the Annual Conference; the power to judge is vested in the General Assembly.

The power of judgment is vested in the Annual Conference, but the power to judge is vested in the General Assembly.

The plan of separation provides for an intermediate action between that of the Annual Conference and that to be had by the Commission, and it vests the power in the General Assembly to judge and determine the term of the Annual Conference; the power to judge is vested in the General Assembly.

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established that we solemnly do pledge to devote our time and forces to the principles of Christian love and peace and the Reformed Church. The division of property was agreed to, unless the claim of one party be so greatly over the other as to make it unwise to divide it.

The fact is that there are numerous instances where the Church has been divided into factions, and it has been the duty of the Commissioners to settle the boundary lines. In these instances, the Commissioners have been guided by the principles of justice and fairness.

The Church has always been willing to accommodate the wishes of the minority, and has always been willing to make the adjustments necessary to preserve the unity of the Church. In this instance, the Commissioners have been guided by the same principles, and have made the necessary adjustments to ensure the unity of the Church.

In conclusion, the Commissioners of the Reformed Church have concluded that the property is to be divided as agreed upon. The Commissioners have acted in the best interests of the Church, and have made the necessary adjustments to ensure the unity of the Church.

Cincinnati, [date]

[Signature]

[Name]

Commissioner of the Reformed Church

[Note: The handwriting is difficult to read, and some parts of the text are illegible.]
August 25, 1846

The undersigned, Commissioners appointed by the late General Conference of the M.E. Church, South, in accordance with the Plan of Separation adopted by the General Conference of the M.E. Church in 1844, to act in concert with the Commissioners of said M.E. Church, specially appointed for the purpose of estimating the amount of property and funds due to the M.E. 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 & C.B. Tippett, Book Agents of the M.E. Church, that they are prepared to act in concert with them, as the Plan of Separation contemplates and requires, 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 or funds which may be pending between the M.E. Church and the M.E. Church South. And as necessary to such a result, in the judgement of the Commissioners South, they would respectfully suggest and urge the propriety and necessity of a joint meeting of the Board of Commissioners, North & South, at a period as early as practicable that the intent 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 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 M.E. 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.

The undersigned Commissioners are not able to perceive any valid reason, or reasons, why the negotiations respecting the division of property, should not proceed in the hands of the joint Commissioners without delay, and hence request the joint meeting, recommended above. As the General Conference Plan of Separation leaves it with the Commissioners of the bodies they represent to judge and determine whether the Annual Conferences have authorized the change in 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 recommendation.” 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 3rd resolution.” It follows hence, that both by the languages 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 at 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 law. In the instance of several Annual Conferences the vote was contingent and future events, now to judged of by the Commissioners, were to give an affirmative or negative character to this vote. 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 vote must beyond 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 M.E. 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 honestly, 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 & 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 the 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 us, we are receiving but a part of what the South has contributed to the common fund in question.

There is another view of the subject, which in our judgement 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 a means to an end. The end aimed at was
an equitable division of the church property, and the more certainty 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 M.E. Church South intend a most sacred appropriation of the funds they may receive, exclusively
to the purposes specified in the 6th restrictive article and not intending to divert 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 in view by
that 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 insufferable difficulty, 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 an 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 M.E.
Church, that the peace and quiet not less than the character & 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 M.E. 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 M.E. 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 M.E. 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 the first of March next.

Very respectfully,

H.B. Bascom

A.L.P Greene

S.A. Latta

Commissioners, M.E. Church South
Cincinnati, O

25 August 1846

P.S. We would respectfully ask and claim, upon the ground of justice & right, that the Commissioners and Book Agents of the M.E. Church make a _________________ of the General Conference of 1844, upon the secretaries of all the Annual Conferences of the M.E. 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 M.E. Church South, will do the same, within the limits of the South as an organization.

H.B. Bascom

A.L.P. Greene

S.A. Latta