

# ARBITRATIONS AND TRIALS OF MEMBERS IN THE METHODIST EPISCOPAL CHURCH: 1776-1860

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The question of acceptable conduct of a Christian has been a major question since the beginning of the Church. Moral questions were arising even in the earliest days of the Christian community. Several of Paul's letters address themselves to Christian conduct. Closely related to this question of morals was what to do with an offender of accepted moral practices within the Christian community. The only instance of a corporate judgment of an incorrigible brother on moral grounds found in the New Testament is in Paul's letter to the Corinthians (I Cor. 5:3-5).<sup>1</sup> This was a case of a man who had taken his stepmother as his wife, a practice unacceptable even among the pagans. Throughout the history of the Christian church we find procedures for excommunication, expulsion, exclusion and the like. We can find even such practices of separation in the scripture (Matt. 18:15-17; Titus 3:10).

## *Methodism: Wesley—England*

In Methodism we find the continuation of an already strong tradition in Christianity. How a Christian should conduct his life, or we could say the way he "walks" in life, has become a strong part of the Methodist tradition. We find the roots of this Methodist tradition in the thinking of John Wesley. Wesley addresses himself to the early usage of the word "walk." "It should always be remembered that the word *walk*, in the language of the Apostle, is of a very extensive signification. It includes all our inward and outward motions; all our thoughts, and words, and actions. It takes in, not only everything we do, but everything we either speak or think."<sup>2</sup>

When the first of the United Societies was formed in London, Wesley stated that the society was "a company of men having the form and seeking the power of godliness, united in order to pray together, to receive the word of exhortation, and to watch over one another in love, that they may help each other to work out their salvation."<sup>3</sup> This essentially demonstrates the purpose of Wesley

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<sup>1</sup> Wesley's comments on this passage would disagree that this was a corporate judgment. He says, "This was the highest degree of punishment in the Christian Church; and we may observe, the passing this sentence was the act of the apostle, not of the Corinthians." John Wesley, *Explanatory Notes Upon the New Testament*. London: The Epworth Press, 1958, p. 599.

<sup>2</sup> John Wesley, *The Works of John Wesley*. Grand Rapids: Zondervan Publishing House, from 1872 ed. Vol. VI, p. 397.

<sup>3</sup> *Ibid.*, Vol. VIII, p. 269.

in founding the societies to fill the gap that was left open by the Church of England, namely, whereby the Anglican Church centered its ministry toward liturgies and neglected the Bible salvation.

The only condition required for admission into societies was that an individual must have "a desire to flee from the wrath to come, to be saved from their sins."<sup>4</sup> The requirement to remain within the society was evidenced through the way one "walked" in life. The desire for salvation was expressed through actions. Wesley not only listed the positive deeds one should do, including regularity of attendance, but also those things which a member should not do.

First, by doing no harm, by avoiding evil in every kind; especially that which is most generally practised: Such is, the taking the name of God in vain; the profaning the day of the Lord, either by doing ordinary work thereon, or by buying or selling; drunkenness, buying or selling spirituous liquors, or drinking them, unless in cases of extreme necessity; fighting, quarreling, brawling; brother going to law with brother; returning evil for evil, or railing for railing; the using many words in buying or selling; the buying or selling uncustomed goods; the giving or taking things on usury, that is, unlawful interest; uncharitable or unprofitable conversation, particularly speaking evil of Magistrates or of Ministers; doing to others as we would not they should do unto us; doing what we know is not for the glory of God, as the "putting on of gold or costly apparel;" the taking such diversions as cannot be used in the name of the Lord Jesus; the singing those songs, or reading those books, which do not tend to the knowledge or love of God; softness, and needless self-indulgence; laying up treasures on earth; borrowing without a probability of paying; or taking up goods without a probability of paying for them.<sup>5</sup>

Each society was divided into several classes. Within each class was a leader. Part of the leader's responsibility was "to see each person in his class once a week at least, in order to inquire how their souls prosper; to advise, reprove, comfort, or exhort, as occasion may require; . . ." <sup>6</sup>

We find even in those early days of Methodism the demands of the society were contrary to the acceptable practices of the social climate which surrounded it. In a pamphlet written in 1743, Wesley warns that even though cursing, sabbath-breaking, drunkenness, quarreling, and other works of the devil were fashionable in England, they were not fashionable in the society.<sup>7</sup> Wesley spent so much time in those early years "purging" the societies, "there were times when the expulsions and withdrawals outnumbered the faithful allowed to remain within the fold."<sup>8</sup> As the societies developed

<sup>4</sup> *Ibid.*, p. 270.

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*, p. 41.

<sup>8</sup> Halford E. Luccock, Paul Hutchinson, Robert W. Goodloe, *The Story of Methodism*. New York: Abingdon Press, 1959, p. 166.

so did the enquiries. Though no one was required to disclose matters which he wished to keep to himself, the members usually reported the true picture. This may, of course, have had something to do with the effectiveness of the questioning by the leader.

The question usually asked in the class was, "Does he (she) walk worthily . . . ?"<sup>9</sup> If the member did not admit to a misconduct but another member had knowledge of such, he would be judged and if found delinquent could be expelled from the class or the society. What developed in the class meeting was a jury in whose presence a fellow member was judged for his weekly moral achievements or failures. So we find the tradition of moral trials deeply rooted in the beginnings of Methodism.

#### *Methodism: America*

As the Methodist Societies spread from England to America, along came the tradition of enquiry. We even find in the list of early exclusions from the Wesley Chapel Society (presently John Street United Methodist Church), seven exclusions for "disorderly walking." The tradition of enquiry developed into an elaborated system of trials and appeals. We find this system already developed in the 1785 *Discipline* of the Methodist Episcopal Church.

Before we take a closer look at this system, it is necessary for us to develop a general picture of the moral conditions in America between the Revolutionary and Civil Wars. We have set this as the general limits for the purpose of our study. Trials of local members did occur after the Civil War, but they were more in decline. Though we still have the trial procedure in the present day *Discipline* of the United Methodist Church, we found no record of its usage in the twentieth century.

#### *Moral Picture of America 1776-1860*

Religion and morals were a concern for the United States of America even in her embryonic development. We find that among the laws enacted by the Continental Congress were ones on morality. In the original and revised Articles of War adopted by the Continental Congress, the mention of punishment for swearing or blaspheming the name of God is recorded. Even General Washington issued an order to the soldiers of the Continental Army against profanity.<sup>10</sup> While on paper high morals were generally being stressed both in the states and in the country, actual conditions were just the opposite. According to biographies, newspapers and

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<sup>9</sup> The Rev. John C. Bowmer, archivist at the Methodist Archives and Research Centre in London, relates that this question was used.

<sup>10</sup> William Warren Sweet, *Religion in the Development of American Culture 1765-1840*. New York: Charles Scribner's Sons, 1952, pp. 50-51.

records of ecclesiastical bodies, the twenty years following the American revolution were one of the lowest periods in general morality in American history. Recorded in two Reports on the State of the Church made in the session of the Synod of Philadelphia and New York we find the emphasis in 1778 on "the lamentable decay of vital piety" and "the gross immoralities," increasing to "an awful degree." Just a year later the country even sounds worse as there is "great and increasing decay of vital piety, the degeneracy of manners, the want of public spirit, and the prevalence of vice and immorality throughout the land."<sup>11</sup>

The Revolutionary War was a primary cause for the low ebb of morality in the nation. The years of war and its uncertainty played havoc with the general home life of a family and the accepted moral practices. The practices of loose morals and manners, and an excess of drinking combined with the uprooted discipline of a home life, became more the vogue than the ancient Puritanic conditions which dominated prior to the Revolution.<sup>12</sup> This was a period of transition, a time when the undisciplined country of a revolution had to learn to discipline herself if she wanted to become a nation. One observer of this period of history states there was a shift in moral concepts: "How one acted, and by what code, in the contemporary view reflected one's inner virtue and shaped one's moral course of action;" shifted to one's "behavior became what one's class did—not what moral standards one's class adhered to."<sup>13</sup> As the nation grew people were more concerned with what was the "in" thing to do.

Directly related to what became the accepted standards was the influence of French customs. French infidelity is given as a cause for the breakdown of many domestic situations. The general looseness and frolicking nature of the French seemed to influence her fellow revolutionary country.<sup>14</sup>

Intemperance played a major role representing a primary evil influence found in the emerging American society. In several accounts we discover this evil in the first position. One account lists in order the evils of the day as drunkenness, gambling, lottery and horse races,<sup>15</sup> while another in a general survey says "profaneness, pride, luxury, injustice, intemperance, lewdness and every species of debauchery and loose indulgence greatly abound,"<sup>16</sup> but the

<sup>11</sup> Daniel Dorchester, *Christianity in the United States*. New York: Phillips & Hunt, 1888, pp. 338-339.

<sup>12</sup> William Warren Sweet, *Men of Zeal*. New York: Abingdon Press, 1935, p. 183.

<sup>13</sup> Russell Blaine Nye, *The Cultural Life of the New Nation*. New York: Harper Bros., 1960, p. 135.

<sup>14</sup> Dorchester, *op. cit.*, p. 578-580.

<sup>15</sup> Gaillard Hunt, *Life in America One Hundred Years Ago*. New York: Harper & Bros., 1914, p. 171.

<sup>16</sup> Dorchester, *op. cit.*, p. 349.

greatest of all these evils was intemperance.<sup>17</sup> Even foreign observers found this to be true. One account for the East in 1810 lists as the prevailing vice inebriety,<sup>18</sup> which is also true in another account for New England in 1812.<sup>19</sup>

Intemperance grew with the country, traveling westward with the frontier. The principal cause of discipline on the frontier was intoxication.<sup>20</sup> It was often found that intemperance was the underlying cause for many other moral failures and crimes. A great cause for debt was listed as "indulgence in strong drink."<sup>21</sup> The *Christian Advocate* records an account of a Major who is shot for reprimanding a man in drill who was intoxicated.<sup>22</sup> Even in 1862 we find intemperance a major cause of police arrests. In a quarterly police report of the "5 Points" section in New York City, out of 9,087 arrests 2,165 were for intoxication.<sup>23</sup>

Intemperance was fought in the general American society. In 1808 the first temperance society was formed.<sup>24</sup> The temperance reform movements were among the leaders of reform during this era. By the 1840's the results of this movement on society became quite noticeable. The following is an example of the average consumption per person in America during this era: 1810—4.60 gal.; 1823—7.50 gal.; 1830—6.00 gal., 1850—2.23 gal. This great decrease between 1830 and 1850 was not only a result of population expansion but also of general consumption: 1830—77 million gallons compared to 1850—52 million gallons.<sup>25</sup> The increase and decrease in general consumption by the general society are reflected proportionately in the reasons for expulsion of church members.

Turning from intemperance we should briefly note other vices and amusements which were often considered immoral by the churches. One account tells that the popular amusements in the East in 1810 were theatrical exhibitions, sports of the fields and pleasures of the table, while the inferior people practiced gaming and virtuous dissipation as their pastime. Further, adultery was rare and seduction was seldom practiced.<sup>26</sup> In New England in 1812 the popular

<sup>17</sup> *Ibid.*, p. 347.

<sup>18</sup> Warren S. Tryon, *A Mirror for Americans*. Chicago: The University of Chicago Press, 1952, p. 27.

<sup>19</sup> *Ibid.*, p. 37.

<sup>20</sup> W. W. Sweet, *Religion on the American Frontier, Vol. II, The Presbyterians*. New York-London: Harper & Bros., 1936, p. 65.

<sup>21</sup> Hunt, *op. cit.*, p. 170.

<sup>22</sup> *Christian Advocate*, pub. by N. Bangs and J. Emory, for the Methodist Episcopal Church. New York, Sat. Sept. 16, 1826, p. 7.

<sup>23</sup> Tryon, *op. cit.*, p. 222.

<sup>24</sup> Hunt, *op. cit.*, p. 173.

<sup>25</sup> Dorchester, *op. cit.*, p. 447.

<sup>26</sup> Tryon, *op. cit.*, p. 27.

amusements were dancing, cards and dramatic exhibitions.<sup>27</sup> Another account lists as the popular amusements gambling, cards, dice and dancing.<sup>28</sup> Also listed in this particular account is prostitution as being very successful in both New York and Philadelphia. The account says prostitution was so successful in New York City that there was an area in the city called the "Holy Ground," where prostitutes solicited in the open without fear of police arrest.<sup>29</sup> Still another account pertaining to the theater says "a number of the proscenium boxes in the large play house were given up to the prostitutes."<sup>30</sup>

Sabbath breaking constitutes another vice which was prevalent. The strong Puritanical tradition of Sunday laws was unpopular with the general society. Not only was business engaged in on Sunday but an account from Kentucky in 1813 tells us that the "Sabbath was distinguished from other days only by greater noise, amusement, profanity and dissipation."<sup>31</sup> There were Sabbath reform movements to enact new laws and encourage acceptance by the general public but acceptance was difficult for the "free-minded" people of the new country. Examples of this can be seen over the issue of movement of the U.S. mail on the Sabbath or in 1824 where Massachusetts honored General Lafayette on a Sunday. An interesting sidelight of Lafayette's visit to America in 1824 was found in the John Street Church records. Among the records we find the trial of Sister Rachel. It appears that Sister Rachel attended a "fete" at Castle Gardens which honored Marquis de Lafayette. She was brought up on the charge of breaking the General Rule of Wesley which forbade "the taking such diversions as cannot be used in the name of the Lord Jesus." The Castle Garden area of New York was known for all sorts of amusements. Sister Rachel in her defense stated she was required to attend by her husband even over her objections. Further, she added that she only consented to attend after having "taken the advice of her father and another aged friend." The case did end on a happy note. Sister Rachel was not expelled when she promised never to do it again.<sup>32</sup>

Local governments also provide us with a measure of the morals of the day. A description of the city government after the Revolution describes it as irresponsible in not even providing police protection.<sup>33</sup>

<sup>27</sup> *Ibid.*, p. 37.

<sup>28</sup> Nye, *op. cit.*, p. 144.

<sup>29</sup> *Ibid.*, p. 138.

<sup>30</sup> Hunt, *op. cit.*, p. 88.

<sup>31</sup> Dorchester, *op. cit.*, p. 382.

<sup>32</sup> This incident is recorded in the *John Street Church Trials and Appeals of 1824 to 1826*. It is case #16, dated Sept. 11, 1824. It is also found in *Christian Advocate*, Sept. 11, 1824, "An Incident of Lafayette's Visit to New York," by Dr. A. B. Sanford, p. 1113.

<sup>33</sup> Nye, *op. cit.*, p. 125.

Until the major prison reforms in the 1840's the local prison system was notorious. Prisoners were usually thrown into one large cell with no distinction regarding one's crime or sex. One would find the hardened criminal and debtor in the same cell. Open prostitution and disease ran rampant within the jails.<sup>34</sup>

This typifies the general social condition of this period during which the Methodist trials which we shall examine were held. Thus we end our brief summary of the general moral fiber which was prevalent during this era in American history.

Before examining the system of trials found in the Methodist Church, a word should be said about the trials of various denominations. Evidence of similar procedures has been found in both the Baptist and Presbyterian denominations. However, we do not conclude that such procedures were limited to these few denominations. In Sweet's works on the *Religion of the American Frontier* we can find several insights into these procedures. First some general conclusions drawn by Sweet about the frontier churches: "The frontier churches exercised a strict oversight of the morals of their ministers and members."<sup>35</sup> Further, the "basic moral problem grew directly or indirectly out of the abundant supply of intoxicating liquor found on the frontier."<sup>36</sup>

The Baptist churches met once a month with all their members. Administration of discipline developed into the principal business of these meetings. The meeting would follow rules adopted when the church was formed.<sup>37</sup> The general rule for these courts was Matthew 18:15-17.

"If your brother sins against you, go and tell him his fault, between you and him alone. If he listens to you, you have gained your brother. But if he does not listen, take one or two others along with you, that every word may be confirmed by the evidence of two or three witnesses. If he refuses to listen to them, tell it to the Church; and if he refuses to listen even to the Church, let him be to you as a Gentile and a tax collector."

So we find the procedure being that after an attempt was made by the offender and offended brethren to reconcile, two or three brothers attempted to bring a reconciliation between the two parties. If this failed the church attempted to bring about a reconciliation. If there was still failure "helps" were called in from neighboring churches to bring reconciliation. The above procedure was used in

<sup>34</sup> Dorchester, *op. cit.*, p. 345.

<sup>35</sup> W. W. Sweet, "The Churches as Moral Courts of the Frontier," *Church History* II 3-21. The American Society of Church History, January, 1933, p. 21.

<sup>36</sup> *Ibid.*

<sup>37</sup> Sweet, *Religion in the Development of Culture*, p. 141.

cases of dispute between members. The disputes ranged from business dealings to family affairs even between parents and children.<sup>38</sup> In addition to the function as an arbitrator, the main discipline concerned moral charges. It is interesting to note originally the vote for suspension was taken by voice vote of the majority but as the church grew, vocal votes became a problem especially on close votes.<sup>39</sup>

The charges found in the Baptist records are similar to the other two denominations. The most common charge was drunkenness. A list of these charges includes: non-attendance, drinking, quarreling, swearing, falsehood, horse-racing, gambling, adultery, shooting for liquor, stealing, fraud, immoral conduct, playing incarnal plays, misusing a wife, frolicking and dancing, improper conduct in time of church, harmful gossip, disobedience of a slave, and joining a free Mason Society.<sup>40</sup> Sister Polly's trial is a good example of these records. Sister Polly E. was charged "for giving her mother the lie," for "calling her a fool," and "for endeavoring by tattling to set several of the neighbours at strife with each other." She was excluded from the church.<sup>41</sup>

Turning briefly to the Presbyterian Church, we see that the court for trial of lay members was composed of the pastor and ruling elders.<sup>42</sup> The church session has among its responsibilities the spiritual government of its congregation. "It has power to inquire concerning the Christian conduct of the members of the Church; to summon and examine the accused and witnesses; to admonish, suspend, or exclude from the sacraments offenders deserving such censure. . . ." <sup>43</sup> Within the system was always room for repentance and the right of appeal.<sup>44</sup> We find the charges in the moral trials similar to those of the Baptists mentioned earlier. This list includes: abusive and scandalous language, adultery, assent to illegal and unchristian marriage, *attendance* at balls and dancing parties, bastardy, breach of covenant, dancing, fornication, horse-racing, immorality, intemperance, non-church attendance, profanity, Sabbath-breaking, unchristian conduct and language, heretical sentiments and *joining the Methodists*.<sup>45</sup>

We can see from the above charges that the church felt it was its

<sup>38</sup> W. W. Sweet, *Religion on the American Frontier, The Baptist*, New York: Henry Holt & Co., 1931, p. 49.

<sup>39</sup> *Ibid.*, p. 159-160.

<sup>40</sup> *Ibid.*, summary of charges found in book.

<sup>41</sup> Sweet, *Religion in the Development of American Culture*, p. 142.

<sup>42</sup> *Ibid.*, p. 143.

<sup>43</sup> Sweet, *Religion on the American Frontier, The Presbyterians*, p. 393.

<sup>44</sup> *Ibid.*, p. 402.

<sup>45</sup> Sweet, *Religion in the Development of American Culture*, p. 145.

right to enquire into every facet in the life of her members and judge them accordingly. We now move to the moral trials of Methodism.

### *The Trials of American Methodism*

Let us first turn to a general picture of American Methodist moral trials as described by the Methodist historian, Nathan Bangs. Bangs discusses these trials in his book on the Methodist discipline, as follows. He says in regard to those

. . . who are accused of immoral conduct, of evil words or tempers, or of a defection from the order of the church, he preacher has no right to execute the censure of the church, until such person has had an opportunity of answering for himself before a select number of his brethren of equal standing in the church, who act as jurors, hear the charge and defence, and examine testimony on both sides, and then decide upon the guilt or innocence of the accused person, according to the weight of evidence. And if the accused think himself dealt by unjustly he has the right of an appeal to the quarterly meeting Conference . . .<sup>46</sup>

In charges of moral offences such as "neglect of duties of any kind, imprudent conduct, indulging sinful tempers or words, or disobedience to the order and discipline of the church," private reproof was to be given first. If the person acknowledged the fault, resulting in proper humiliation, the person was forgiven. But if the act was repeated and continued with no signs of repentance, the accused was cut off from the Church as a disorderly member.<sup>47</sup>

In the area of internal disputes among members a system of arbitrations was developed. The following is Bangs' description of this procedure. When any disputes happened between members of the church (except in extreme cases when process at law was allowable), the parties were directed to refer the subject of dispute to arbitrators; two arbitrators were chosen by the contending parties, and the third by the two arbitrators, who examined all and came to a decision. If either party was dissatisfied, an appeal to its quarterly meeting conference was allowed. If the conference judged the appeal to be expedient it would grant a second arbitration. Five members were chosen; four by the parties and the fifth by the four arbitrators. Their judgment was final.<sup>48</sup>

With this general view of the Methodist court system, let us now come to the particular elements in the system. The accuser and accused were usually present. But if the accused was not present,

<sup>46</sup> Nathan Bangs, *Vindication of Methodist Episcopacy*. New York: Nathan Bangs and Thomas Mason, 1820, p. 150.

<sup>47</sup> *Ibid.*, p. 152.

<sup>48</sup> *Ibid.*, p. 153.

he could be tried and found guilty anyway. An example of this found in the John Street records is of two individuals charged with Sabbath-breaking resulting in their expulsion. (Cases #29 and #30, dated July 30, 1825).

Minutes were required but this seems to have been rarely done in a detailed and permanent manner. In the trials, witnesses who were not members of the church could also be called to testify (note the case below of Margaret Derring). Though the church was in no position to force the accused to submit to trial, there seems to have been a general willingness to submit.

Sweet records an interesting case in a trial of perjury. The accused brought along a lawyer to assist him and swear in the witnesses. The attorney was dismissed as unnecessary and the need for swearing of witnesses was rejected. The reasons for the church's action was as follows: (1) Christ forbid it; (2) Discipline did not recognize such action; (3) the matter did not involve civil rights or property, but a standing in a religious society; (4) the church has the right to proscribe her own course in these cases.<sup>49</sup>

Arbitration in property disputes was not limited to within the particular society. One of the arbitrations recorded in the John Street book involved a dispute between parties from societies in New York and New Jersey. (Case #28, dated April 5-April 11, 1825.) The Lovely Lane records also showed a similar arbitration between members from Baltimore and New Orleans. The minutes in the account recorded at Lovely Lane show a correspondence between the two parties to decide where the arbitration should be held.

The presiding elder was required to approve all the decisions made by its court. There is one case in John Street Church where Rev. Sandford over-rode a not guilty verdict by the court and expelled the charged member anyway. (Case #43, dated March 15, 1826.)

There was one set of charges found at Lovely Lane but not at John Street. The issue was slavery. The charges for expulsion varied from selling a slave to a trader, to buying a slave for life, to selling a slave for life. Methodism had a history against the practice of slavery. If a person had slaves when he became a member or inherited them later, he had to arrange within a certain time to free them. If he sold the slave within the specified length of time he had to specify the future date at which the slave had to be set free. These charges on the slave issue show an excellent example of how the moral courts were affected by the issues and morals in society in their particular geographic location.

<sup>49</sup> Sweet, *Religion on the American Frontier, 1783-1840, The Methodists*, Vol. IV (Chicago; University of Chicago Press, 1946), p. 408.

Above we have listed charges of expulsions in other denominations. Many of these similar charges were found in the Methodist records. A partial list of charges we examined at John Street and Lovely Lane are as follows: act of hypocrisy, buying and selling slaves, marrying a wicked man, quarreling and brawling, non-attendance, cock fighting, habitual neglect of family proper, trifling, disorderly walking, immoral conduct, marrying a second wife while first wife was still alive, drinking, fathering a child, swearing, unchristian-like conduct, singing war songs, desertion of family, non-penitent, adultery, living with husband before marriage, illegitimate child, playing dominoes. A brief summary of the John Street trials and appeals from 1824 to 1826 reveals the following: 51 cases were tried, two were acquitted, two were forgiven, one was reinstated, and one had a peaceful ending. In these same records we found seven arbitration cases mostly involving debt. The trials recorded at Lovely Lane Chapel for the period between 1816 and 1822 show 134 expulsions and 20 arbitrations over debt.

From these charges we hear the echo of John Wesley and his concept of how one should "walk" in life. The years from Wesley to the prescribed limits of this paper were filled with a strict adherence to Wesley's concepts. The argument can be posed that if one joined a society and wanted to continue in that society then one should follow the rules. As the Methodist Societies grew into a Christian denomination they failed to rid themselves of much of the exclusiveness of a society, one aspect of this exclusiveness being the trials. Being influenced by Wesley's view of discipline within a society and the general puritanical influence of the times, the Methodist denomination developed a strong discipline for her members. We have seen that this is not unique to Methodism; the popularity of moral trials was generally accepted by the churches and membership of the time. It was also this general acceptance which made them effective. Once this acceptance left, the effectiveness of the trials ceased.

As we have seen, the basic beginnings were with Wesley when he set up the structure. Trials were held within the class structure, the earliest form of organization Wesley utilized. As a movement, a society, and finally a church, all three built upon the episcopacy and the class structure. Early evidence for expulsion was whether one was walking worthily. As the movement developed into a society of believers, the trial structure was also developed into a full representation of a legal structure yet within the church. Perhaps the first time the Methodist Episcopal Church in America ever had a specific plan was with the 1785 *Discipline* which spelled out the rules and regulations.

This is a clear representation of the trial structure, a structure which was not merely set aside but was actually used as exemplified

in the trials from John Street and in the excellent example of Margaret Derring given as an illustration in the following section.

Even though trials have not been used in the past 100 years to the extent they were used in the early 1800's, there seems to be little reason to conclude that they could not be revived today. The 1968 *Discipline* of the United Methodist Church still lists the procedure and a few of the legitimate offences. This is the first time that the extensive charges included in the earlier *Disciplines* have been dropped. This, perhaps, represents a continuation of the evolution of trials but also indicates that they have become less popular.

Why were Methodist morals trials so much in vogue at one time? Was it because of the concept established which was to assure that Methodists would have the most nearly perfect and Christian-like society? As we have seen earlier the morals at this time in America were far from the point of being sophisticated!! One instance of fame and questionable truth demonstrates the so-called decline. Barbara Heck caught her husband playing cards, was horrified, and pleaded with Philip Embury to return to preaching.

The New York area was originally settled by Irish Palatinate immigrants. Philip Embury had been converted by Wesley and was a local preacher at Ballingrane, Ireland. In 1760, morals had been high but by 1766 there had been a general decline. The founding of John Street Church was for the express purpose of strengthening the morals of the day. It evidently had this effect. As evidenced from the trials found from 1787 on it seems obvious that the morals of the day were on a cycle of upswings and downswings. Perhaps the total causes for the recession into degradation cannot be fully determined, but an educated guess can be put forth.

The periods of degradation seem to accompany the wars and continue for a period after the war. We note that in 1787 there is an upswing of immoralities and then a period of downswing. After the war of 1812 there was a definite upswing of trials again which continued at least through 1826. We have a definite pattern for the use of these trials.

It seems evident that the trials taken up on the part of the church are not only a means of strengthening their security but also a means of supplementing the social structure. As mentioned above, the policing of towns, the prisons, and the moral degradation had reached peaks within the states at various times. Since the church cannot encompass all of society it turned to the reprimanding of its own members, perhaps to purify itself, perhaps to convert persons, and most likely to be an example for all of society. We think this conclusion can be justified as we have seen that the Methodist Episcopal Church is not the only one to participate in such strict prohibitive measures.

This is perhaps an attempt on the part of the church to be totally

integrated into the society of America. In many instances it met the degradation with great success yet in other areas it had no effect. We have seen that as the frontier moved westward, so did the immorality of the time. In a sense the immoral conduct of the American society followed the growth and mobility of the population.

The church integrated a need for moral reform of the times into the church structure creating the class structure as the basic force. A system of trials resulted. How were these trials conducted and administered? This is the prime question which leads us into the next area of our investigation, the administration and an example of a moral trial in the Methodist Episcopal Church.

#### *Administration of Immorality Trials*

Within the structure of the Methodist Episcopal Church during 1790-1860, and to the present, we find a definite procedure established and originated to deal with the indulgent members of the society. This is partially based upon scripture, upon Wesley, and upon the "class" structure. Present in this early society was a supreme governing power over each member; the power to arbitrate, try, excommunicate and expell members for various reasons. All final decisions over these matters lay in the hands of the minister, the members, and, if necessary, the Quarterly Conference. "The pastoral office is instituted to guard and promote the moral and religious character of the community. In the discharge of its functions counsel, admonition, and reproof must frequently be administered, to establish the wavering and to reclaim the erring."<sup>50</sup>

Unchristian-like conduct had to be strictly dealt with in order to keep the society pure and God-like. The minister or preacher took up the responsibility of policing the congregation if any immoralities or injustices were committed. He, a proxy, a class member, or a lay leader visited, advised, and counselled the offender in an attempt to reform him. If no reformation was apparent after a reasonable time, the case was brought to trial for an alleged immorality. The proceedings were analogous to those of a criminal court. Therefore, we had a system which was similar to that of the criminal courts, in which it was "not intended merely to adjust accounts between individuals who are at variance, nor to settle claims or values, but to ascertain whether the accused has been guilty, as charged, of conduct which, in the sight of the Church, is criminal, being forbidden in the Word of God, and sufficient to exclude a person from the kingdom of grace and glory."<sup>51</sup>

Through the administration of these rules and trials, Wesley and

<sup>50</sup> Osmon C. Baker, *Guide Book in the Administration of the Discipline of the Methodist Episcopal Church*. New York: Carlton & Porter, 1855, p. 80.

<sup>51</sup> Stephen M. Merrill, *A Digest of Methodist Law*. New York: Curtis & Jennings, 1885, p. 213.

the founders devised a method of strengthening the early societies. What types of rules or customs determined the behavior of the members? Several examples might be as follows: Since class meetings were important as the heart of the church, attendance was compulsory. Personal morals were also important as evidenced in an article written by the Rev. John Summerfield in the *Christian Advocate* of the 1820's. It was apparent that no member should wear extravagant clothing, as one woman was offended because Summerfield wore gaudy dress. The whole of life was encompassed by the rules and customs. One should "be diligent in watching his thought, words, deeds, prayer, and attendance. Let your conversation always becometh the gospel."<sup>52</sup> In a "Word to Young Ladies," the *Christian Advocate* emphasized the importance of the overthrow of colossal evil, namely intemperance. "Let the young man who thinks it a small matter to indulge too freely in spirits, feel the potency of your frowns. Should he be so imprudent as to offer to join in your inoffensive parties of pleasure, or your recreation, let him read in your countenance a cold and unwelcome reception. Ah! Unite not your destinies with his."<sup>53</sup>

Rules of the day were many in number and variety. All had great bearing upon one's eligibility for society membership or excommunication. Nearly all of the rules and customs can be found not only in history books but also in the actual charges and minutes of trials held in the eastern United States. Let us examine the procedure of the trials of immoral members.

Upon recognition that an immoral act had been committed, the minister or complainant prepared the formal charge against the defendant. With this accomplished, a committee was selected, for, "The *Discipline* provides that an accused member 'shall be brought to trial before a committee of not less than five.'" Five was the minimum number, and it was prudent to select a larger number, so that, in the event of challenges, or sickness, or any other cause of failure to serve, the committee would not be reduced below five, which would stop proceedings.<sup>54</sup> We must note here that it was not necessary for the members to be from the same district as the church. Outsiders could be brought in to judge the trial.

With the minister presiding at the trial, the scene opened with devotional services after which a secretary was appointed and counsel was recognized. "The organization being complete, the challenges waived or decided, the following order should be observed:

<sup>52</sup> *Christian Advocate*, Vol. 1, #13, Dec. 2, 1826.

<sup>53</sup> *Christian Advocate*, Oct. 14, 1826.

<sup>54</sup> Merrill, *op. cit.*, p. 219.

1. The charges read.
2. The accused admits or denies.
3. The testimony for the prosecution is introduced.
4. The testimony for the defense is presented.
5. Rebuttals for prosecution and defense in turn.
6. Arguments. First, for prosecution; second, for defense in full; third, prosecution closes, without new matter.
7. The decision. In making this the members of committee may refresh their minds by references to the testimony, which they are to consider till they are ready to vote. In voting, the chairman submits question on first specification of first charge — Is it sustained? Then on all the specifications of first charge in order. If any are sustained, the question comes, "Do the specifications sustained sustain the charge? If not, what grade of offense do they sustain? After all is settled in the first charge, take up the second in the same way, beginning with first specification, and so on, till all the specifications and charges have been acted upon.
8. The finding will then be written to conform exactly to the votes on the charges and specifications, and signed by the majority, not requiring any one to subscribe what he did not vote for.
9. The chairman then announces the finding in order, and the sentence the Discipline requires."<sup>55</sup>

The charge when formulated was very extensive and complete in its various divisions as illustrated below:

- I. Charge — Theft
  1. Specification — "In taking, on the fourth of July," &c.
  2. Specification — \_\_\_\_\_.
- II. Charge — Falsehood
  1. Specification — "In saying," &c.
  2. Specification — \_\_\_\_\_.<sup>56</sup>

"The object of the rule requiring the charge to be particularly set forth is threefold: first, to apprise the accused of the precise nature of the charge made against him; secondly, to enable the court to determine whether the facts constitute an offence, and to render the proper award thereon; and thirdly, that the judgment may be a bar to any future prosecution for the same offence."<sup>57</sup>

Many minute details were present in composing the various aspects of the trial. The following trial held at John Street Methodist Episcopal Church in New York City in 1826 will serve as a perfect example of the methods and patterns used as illustrated above. Due to the great length of detail in the trial, its major divisions are paraphrased below for the convenience of the reader:

<sup>55</sup> *Ibid.*, p. 221-222.

<sup>56</sup> *Baker, op. cit.*, p. 91.

<sup>57</sup> *Ibid.*, p. 91-92.

*Church vs. Margaret Derring.* The following charges were preferred by Samuel Queripel on the 30th day of January, 1826 before me.  
Signed: Henry Chase

- I. Falsehood. 1. In saying, no member of her class had visited her during a week when she was sick; whereas she had been visited.  
2. In saying, that she had no knowledge of a particular article of agreement; whereas she saw the article.

II. Sinful Tempers,  
and Improper Language

and Conduct. Her tempers, language, and conduct, have been such as to produce great dissatisfaction, and to render it very disagreeable to live with her.

III. Evil Speaking. In speaking against the class generally and frequently. Committee appointed to investigate the charges preferred by Samuel Queripel against Margaret Derring on the 30th day of January last met at the parsonage 216 Duane Street, Feb. 24, 1826 at 7 o'clock in the evening.

Samuel Queripel was present, and John Derring as the representative of the accused.

Present also Henry Chase, and the committee consisting of: Cabb Green, James B. Oakley, Daniel Day, Samuel Burhans, William Murphy.

*Nicholas Brehaut* testifies that some time last spring Sister Derring said to him that some of the class had neglected her. . . . etc.

*James Wilson* (not a member) testifies that Mrs. Derring lived in the said house with him last summer, had frequently seen her in a passion, had heard her quarrel with her husband. . . . etc.

*Amelia Flenny* (not a member) states that Mrs. Derring would state to her one day that she could not listen without Mr. Queripel, and the next day state that he did nothing for her, and the class did nothing for her. . . . etc.

*Rosina Wilson* (not a member and wife of James) states Mrs. Derring replied that she was a liar. She confirms the testimony of her husband. . . . etc.

*Elisa H. Spise* (not a member) states that Mrs. Derring told her that Mr. & Mrs. Lecourt had been to see her, and given her only 18 pence and a few candies.

*Nicholas Lecourt* states that he visited Mrs. Derring only once and gave her three ten penny pieces, and carried her tea and sugar, bread and other articles. . . . etc.

*Ann Brehaut* (not a member) states that she had heard Mrs. Derring say that Mr. Queripel came to see her every day but the rat did not come. . . . etc.

*Mary Queripel* states that Mrs. Derring is very passionate and quarrels and knows that she has been assisted frequently by the class.

*Marta Ourden* states she has frequently seen Mrs. Derring in a violent

passion, that she has been assisted frequently by the class and that she said they did it out of pride. . . . etc.

*Samuel P. Queripel* states that Mrs. Derring is a very passionate woman. . . . etc.

*John T. Flenny* states that she is very passionate, and sometimes would not speak to his wife. . . . etc.

*Joseph Ourden* states that Mrs. Derring said last spring that all the class had forsaken her. Wasn't true.

*Marta Queripel* the elder states, that the class had been kind to her and assisted her to a great many times, and that she, witness, had given her clothes, food, etc.

Committee then adjourned.

Committee met at the parsonage March 14, 1826, No. 216 Duane Street. Present Samuel Queripal and Margaret Derring.

Present also Henry Chase, and Caleb Green, James B. Oakley, David Day, Samuel Burhans, William Murhpy—The Committee.

*Mary Ann Dunnahue* (not a member) states that she and Mrs. Derring were in the room when the article of agreement was written by Mr. Derring. She heard Mr. Dunnahue tell Mr. Derring how to write it. . . . etc.

*Cornelius Dunnahue* (not a member) confirms the testimony of his wife as to the substance of it, and states that he thinks Mrs. Derring must have known at the time that the paper was given. Has frequently seen her in a passion, has not heard her swear, but had heard her use the word "devil" when in a passion. . . . etc.

*Rachel Lecourt* confirms the testimony of her husband.

*Elisa Hennitta Spies* (not a member) testifies that she is of a high temper but she thinks that since her being attached to the church, her tempers are much softened; that her provocations by the conduct of her husband have been long and severe, and that she has never heard her say any sinful words. . . . etc.

*Elisa Spies* (not a member) confirms the testimony of Elisa Hennitta Spies concerning the 18 pence and a few pieces of candy. . . . etc.

#### *Sister Derring's Defence*

*Mary Wilson* has never heard any disturbances in her family, heard nothing against her at that time, took her to be a good pious woman, and never saw anything but what was clever and good of her.

*Peter March* states that last August in prayer meeting brother Queripel, the leader, observed that he had put several persons out of the class into the hands of the minister, and in class once two weeks after, that the members should not speak to those who had gone away from the class, but added that they might go to speak to them to do them good.

*John T. Flenny* again or *Samuel Queripel* states that he heard Br. Queripel in the class meeting alluded to by Br. March quote II Thess. 3: 6 & 15 but did not understand him to mean that they should not visit those persons who had left the class, that he had frequently stated to him since that he did not mean it, and that he had requested him to visit sister who was one of them.

The following testimony having been previously taken in the pres-

ence of the parties, was admitted by the committee at the request of Sister Derring and by the consent of Br. Queripel.

*John Derring* (the husband of Sister Derring and not a member) states that Mrs. Derring never saw the article of agreement maintained in the second specification of the first charge to his knowledge, and that he immediately gave it to Mr. Dunnahue. . . . etc.

*Jacob Moore* testifies that he never heard sister Derring use improper words, but that she always conducted herself as a Christian, that her trials have been great, never heard loud or improper noise in her room, and frequently has seen her assist her husband into the house when drunk.

*Joseph Arnold* (not a member) testifies that he never saw anything unbecoming a Christian, but that she was peaceable and quiet. . . . etc.

*Sarah Cline* (not a member) testifies she has known Mrs. Derring 19 months, that she believes her a good woman, and never saw anything in her conduct unbecoming a Christian. . . . etc.

The parties then, the evidence having been closed on both sides, addressed the committee in relation to the charge, and the evidence produced in support of them; after which the committee adjourned.

Committee met March 21, 1826 at 216 Duane St. All present.

After deliberately weighing the testimony, we, the committee, are unanimously of opinion, that Margaret Derring is guilty.

- I. Of falsehood, in saying that she knew nothing about the paper being given to Mr. Dunnahue. . . . etc.
- II. Of indulging sinful tempers, and of improper language and conduct.
- III. Of evil speaking as expounded in the specifications of the third charge.

Signed, Henry Chase, Caleb Green, James R. Oakley, Daniel Day, Samuel Burhans, William Murphy.

She is expelled.

New York, March 22, 1826

P.S. Sandford

Margaret Derring signified her intention to appeal to Rev. H. Chase, April 3, 1826.

The decision confirmed by the Quarterly Meeting Conference May 31, 1826.

Signed: Henry Stead (Minister)

This exemplifies the normal procedure for the trial of a member. It evolved from the Wesleyan idea of "walking" into the question asked within the class structure as to "walking worthily." In its maturity, it became a full grown court of legal procedure.

Through this procedure a member was removed and expelled from the society. Before a verdict could be pronounced, the member's guilt had to be proven. "The law recognizes no member as guilty until the evidence of guilt is duly presented to the proper tribunal, and the verdict is rendered."<sup>58</sup>

Prior to this procedure, the "ticket method" devised by Wesley

<sup>58</sup> Baker, *op. cit.*, p. 84.

was used. When a person came to the meeting he was given a personal validated ticket. If he was removed, no ticket was issued. This assured a quiet, inoffensive method of removal. This is a clear illustration of the evolution of the removal of members from quiet, passive action, to all-out publicity and disgrace.

We must keep in mind that although a person is expelled from the society, there are and have been cases where that member was able to become a member once again. This was done through repentance and complete reformation on the part of the individual. Perhaps this was the only justifying aspect of the procedure.

### *Conclusion*

Although several denominations during the 18th and the 19th centuries held church trials, does this justify their use? Can we say that expelling and excluding a member from the grace and glory of God is a Christian-like attitude and action? Are the judges "walking worthily with the Lord" in performing these acts? Much controversy arises from these trials. Let us take a critical look at them.

Much evidence is found in scripture in support of moral codes and moral conduct which is to be observed by the Christian. Only in one instance is there found an actual judgment by many of the conduct of one person, and even Wesley did not view it as a corporate judgment. There is no supportive evidence for morals trials. Is it not true that in the beginning Methodists were organized as Bible societies? Is it not true that members were supposed to be devoted readers of scripture? How can it be that they overlooked such passages as the following which distinctly makes anti-moral trial statements? How can it be that these members took it upon themselves to judge, expell and excommunicate members, thus denying the grace of God to all? Judging by man goes against the scripture. When Jesus encountered the crowd about to stone the woman for committing adultery he forbade it by saying as recorded in John 8:7. "Let him who is without sin among you be the first to throw a stone at her." It is obvious that we all possess sin. In the illustration, no one threw the stone.

Perhaps the most influential passage of scripture against the concept and purpose of the trials is found in Paul's letter to the Colossians, Chapter 3, verses 16-22. An exposition of this passage at this point is worthy of our attention.

16. Therefore let no one pass judgment on you in questions of food and drink or with regard to a festival or a new moon or a sabbath. 17. These are only a shadow of what is to come; but the substance belongs to Christ. 18. Let no one disqualify you, insisting on self-abasement and worship of angels, taking his stand on visions, puffed up without reason by his sensuous mind, 19. and not holding fast to the Head, from whom the whole body, nourished and knit together

through its joints and ligaments, grows with a growth that is from God.

20. If with Christ you died to the elemental spirits of the universe, why do you live as if you still belonged to the world? Why do you submit to regulations. 21. "Do not handle, Do not taste, Do not touch" 22. (referring to things which all perish as they are used), according to human precepts and doctrines? <sup>50</sup>

The point scripture makes is clearly spelled out, **LET NO ONE PASS JUDGMENT ON YOU**. It is not the duty of a Christian to pass judgment upon another Christian. Judgment comes ultimately from God and no one else. How can a Christian legitimately exclude, excommunicate, judge, and disgrace another?

In II Corinthians 2:5, we find the passage concerning one who has caused pain. "For such a one this punishment by the majority is enough; so you should rather turn to forgive and comfort him, or he may be overwhelmed by excessive sorrow." This is the teaching of Christ throughout his ministry. It is a teaching of saving sinners for that is why Jesus Christ came. He came for the salvation of sinners and it is to him that they must look. If the church turns out sinners they are denying Christ and salvation to the very people he wants to save. The trials of the early churches were strongly opposed to the teaching of Christ yet the people were foolish enough to believe they were doing the correct thing. The church's purpose is to establish a community of sinners searching for the salvation which Christ has to offer, not to establish a community of individuals who pass judgment upon the people Christ wants to reach.

(NOTE: The primary source material for this paper came from records located at John Street Church, New York City, and at Lovely Lane Church in Baltimore. The John Street records cover the period of 1787-1826, and those at Baltimore, 1816-1822. Little knowledge of existing records was found elsewhere, although inquiries at Garrett Seminary and Syracuse University indicated that trials were held possibly as late as 1860. Considering the finds at John Street and Lovely Lane, it must be concluded that trials existed in abundance elsewhere also.)

<sup>50</sup> Revised Standard Version.