LOVE GIFTS FOR THE BISHOP:
JAMES J. STEWART V. BISHOP W. ANGIE SMITH, PART I

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A significant part of the history of Methodism in the United States can be told by describing how the power of bishops has gradually been reduced and how the influence of laypersons has increased. These two trends came together in a conflict during the 1950s between an Albuquerque Methodist minister, James J. Stewart, and W. Angie Smith, bishop in charge of the work of the Oklahoma and New Mexico Methodist conferences and the Oklahoma Indian Mission. The conflict reached the first of three judicial climaxes in the meeting of a church investigating committee on January 10, 1957 at May Avenue Methodist Church in Oklahoma City, where charges filed by Stewart against the bishop were reviewed. The question of lay influence was present in the background at this meeting, but episcopal power was front and center, with particular concern for possible use of the office for personal gain. This two-part study will (1) trace the events leading up to the committee meeting and describe the event itself and then (2) analyze the procedures followed by the parties involved and examine the merits of Stewart’s charges.

I

In 1944 W. Angie Smith became the first bishop elected in the new South Central Jurisdiction of the recently formed Methodist Church, a merger in 1939 of northern and southern Methodist Episcopal Churches, which had split in 1844 as a prelude to the Civil War, along with the Methodist Protestant Church, which had formed in 1830 to give lay persons more representation and to eliminate the position of bishop. Of the three denominations that united to form The Methodist Church, the Methodist

†The author wishes to thank all of those who provided access to papers, granted interviews, responded to letters about this topic, and provided help in other ways. A list of acknowledgments as well as more detailed documentation and supplementary notes appear in the original article. A research grant from Oklahoma City University covered part of the expenses of this investigation.


§Subsequent events were a church trial of Stewart and a civil trial resulting from a libel suit filed by Stewart. The author hopes to deal with these trials in later articles.
Episcopal Church, South had allowed its leaders the most power, and Bishop Smith was in this tradition of strong episcopal leadership.

By the time of the committee meeting Smith was almost halfway through his twenty-four year tenure as bishop in Oklahoma City and had established a reputation as a leader who got things done. The Methodist Church in Oklahoma and New Mexico was growing, needed institutions were being built, and missions around the world were being supported. When he was not traveling to different parts of the world to supervise the denomination's mission work he was often preaching at special services in churches of his area. Each year he presided with a firm hand and caustic wit over the annual sessions of the Oklahoma Conference, the New Mexico Conference, and the Oklahoma Indian Mission, often making the appointments of pastors for the following year with a minimum of consultation with his district superintendents, whom he also appointed, or with the pastors and churches involved. His colleagues on the Council of Bishops had already named him President-elect, with his term of one year to begin in the spring of 1957.

James J. Stewart had grown up in the northern Methodist Church in western Pennsylvania and taught public school and worked in coal mines to pay for seminary studies, which he completed at Yale in 1942. A severe case of tuberculosis sent him west in search of a dryer climate, and he enrolled for graduate work at Iliff School of Theology in Denver, where a Methodist district superintendent from New Mexico invited him to come to Albuquerque to start a new congregation. Trinity Methodist Church, organized in 1944, was the result. That same year Stewart was admitted on trial into the New Mexico Conference—one of two men who were the first ministers that Bishop Smith received in his episcopal area.

Stewart remembered two incidents during his five years at Trinity that set the stage for his challenge against Bishop Smith. In 1946 the church received a request from the district superintendent to contribute to a travel fund for Mrs. Smith to accompany the bishop on an episcopal visit to India. In 1949 the church made a contribution for the Bishop at the superintendent's request, but when no explanation as to the purpose of the money was forthcoming Stewart and the congregation asked for and received their money back.4

In the early summer of 1949 Stewart returned to Denver for a year to do further graduate work. While there he learned of an incident where a bishop had supposedly dictated the terms of a major retirement gift for himself.5 Returning to Albuquerque in the spring of 1950, he led the develop-

ment of the new St. John's congregation until May, 1956. He and a group of laypersons soon began to collect evidence of what they perceived as bishops’ abuse of their office to acquire gifts for themselves.

A letter from Blair Marshall, chairman of the Official Board at St. John’s, to a churchman in Raton, New Mexico in 1953 illustrates one aspect of the search for data. Following a general request for “information concerning special gifts, love offerings, and other donations made to office holders in Methodism,” Marshall asked specifically about a painting valued at $200 “reportedly given to our bishop.” The contact in Raton replied that the painting given in 1947 was paid for by contributions from friends of the pastor, the Reverend Paul Tripp, noting that “some feelings over this matter” still existed over six years later. Another part of the search for information included review of both the secular and religious press for stories about gift giving to persons in high positions. Especially worthy of note was a news story in the national Methodist Christian Advocate in 1952 that Methodists in Georgia had welcomed Bishop Arthur J. Moore back as their leader with a check for $20,000. Another article in the Advocate recorded that in 1954 the wife of the bishop in Kansas had received approximately $2000 to accompany her husband on an episcopal visit to Latin America.

In 1954 and 1955 Stewart and the laymen concerned about “love gifts” took two major actions to place their concerns before the general church. The pastor published a brief article, “What About the Love Offering?” in the Christian Advocate on January 20, 1955. He wrote that sometimes love gifts “constitute a subtle form of bribery, comparable to the pre-Reformation sale of church benefices,” and reminded his readers that “civil service employees are not permitted to give gifts to their superiors.” He called on the next General Conference to “adopt legislation making the soliciting for, the giving to, and the receiving of gifts by effective bishops, district superintendents, ministers, and members of their family, grounds for expulsion” from the church. That spring the Official Board at St. John’s approved a petition to the 1956 Methodist General Conference to change church law to include among offenses for which bishops or ministers might be tried “soliciting, giving, and receiving special gifts, consisting of either cash or other property or things of value, from ministers, laymen, and church funds.” This proposal ended in failure the following spring, as it did not clear its General Conference committee. Other petitions, designed to limit the terms of

5Christian Advocate, August 21, 1952, 9.
7Christian Advocate, January 20, 1955, 2.
8LMDM Scrapbook; Minutes of the Official Board, St. John's Methodist Church, March 13, 1955, 91 (St. John’s Methodist Church, Albuquerque); Stewart, “I Was a Methodist Preacher,” 18.
bishops in some way, which were also supported by the St. John's Board and various other churches in New Mexico and Oklahoma as well as around the nation, made it to the floor of the conference but lost there.\textsuperscript{11}

In April, 1956, the District Superintendent of the Albuquerque District, R. L. Willingham, described for the concerned laymen at St. John's an alternative way of looking at love gifts. The purpose of "love offerings," he wrote, was "to express appreciation for service rendered or to express a sincere spirit of friendship." They were "contributed by ministers for the most part" although on occasion individual laymen or official boards of local churches might contribute. In the summer 1955, when Bishop Smith made an episcopal visit to Europe, he reported, "the superintendents of the Oklahoma and New Mexico Conferences felt it would be nice and also helpful to Bishop Smith if Mrs. Smith could go along," so preachers were given the opportunity to contribute, and "each district in this conference gave $200." Pastors in "the small churches" were not asked, the superintendent wrote, and "several pastors of the larger churches did not contribute."\textsuperscript{12}

In May, 1956, Stewart turned down an opportunity to move to another church with an increase in salary. The Official Board at St. John's had unanimously requested his return,\textsuperscript{13} but in the Methodist system the bishop had the final say on appointments. By his refusal to move, Stewart "located," in effect resigning from the work of a pastor but maintaining his status as a minister. Correspondence about Stewart's case between lay persons and Bishop Smith included a letter from the Bishop stating, "Brother Stewart has received the same identical consideration and treatment as every other Methodist minister. . . ," and expressing regret that he "has taken the attitude he has as I wish he had permitted me to help him . . . ." Stewart dedicated the rest of 1956 to his concerns about perceived problems in high places and to courses at the University of New Mexico in Albuquerque, in anticipation of a return to teaching.

On September 1, 1956 Stewart wrote to Bishop W. Earl Ledden of Syracuse, the President of the Methodist Council of Bishops, requesting to appear before the Council to present his charges and stating that if proven wrong his "apologies [would] be as public and humble as my charges were public and caustic."\textsuperscript{14} Ledden replied later that month that in the light of the Council's full agenda he saw no reason to grant Stewart a hearing and reminded him that "other procedures are provided in the Discipline if you feel you must take this step." Furthermore, he had "not been able to find any evidence whatever [b]ishops promote 'gifts to themselves and/or their fam-

\textsuperscript{11}1956 General Conference, the Methodist Church, \textit{Daily Christian Advocate}, May 7, 1956, 24–32. Members of the LMDM calculated that 348 of 4956 petitions submitted to the 1956 Conference had to do with limitations on episcopal power (LMDM Scrapbook).
\textsuperscript{12}R. L. Willingham to Carl F. Zickert, April 18, 1956, LMDM Scrapbook.
\textsuperscript{13}Minutes of the Official Board, March 28, 1956, 127–29.
\textsuperscript{14}James J. Stewart to Bishop W. Earl Ledden, September 1, 1956, Copy in LMDM Scrapbook.
At a recent reception on the occasion of his own reassignment to the Syracuse area, he wrote, “No gift was presented—or expected.” He was confident that his experience was typical of other areas too. And, he reminded Stewart, Methodists are generous people, and presenting gifts to bishops and pastors is a sign of goodwill.15

Stewart then began to prepare charges against Bishop Smith, “only because,” he wrote later, “I have more data on him than on any other bishop.”16 As his intentions became known he was visited on election day in 1956 by three Albuquerque Methodist clergy in an unsuccessful effort to get him to cool his campaign. Immediately thereafter Bishop Smith wrote Stewart to tell him that their visit was without his knowledge. He then stated, “I hope beyond expression that you will avail yourself of the opportunity to ask that the Oklahoma Investigating Committee be called and have the courage to face me with all of the so called documented evidence you claim to have. It will give me the first opportunity to brand you for what you are and then send it to the public.” The statute of limitations in church law would be no problem, the Bishop wrote. Stewart was free to start with the day of the Bishop’s birth in 1894. Bishop Smith concluded by stating that he had heard a member of a church where Stewart had been pastor say that Stewart wanted “to be the Martin Luther of the Methodist Church” and promising, “I will give you the chance to show what you are and then the public will have the information. I will not even mention this matter to any member of the Investigating Committee so you need have no fear as I will see that you are accorded every courtesy, something you have never been courageous enough to do for me.”17

Just prior to his letter to Stewart the Bishop had written to the Albuquerque District Superintendent affirming that if Stewart did not take his charges to the investigating committee then “the Oklahoma Conference [would] prepare a statement of fact” and deliver it to the *Albuquerque Journal*. If this paper refused to print it the Conference was ready “to purchase a full page, if necessary . . . to carry the statement which this conference intends to make.” Whatever came out of the investigating committee would also go to the press; “[t]his matter will not be ignored any longer and the chips can call where they will.”18

On November 11, 1956 Superintendent Willingham and the pastors of the eight Methodist churches in Albuquerque affirmed their “confidence and complete trust in the integrity, leadership and ability of Bishop Smith” and

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15Bishop W. Earl Ledden to James J. Stewart, September 18, 1956, LMDM Scrapbook.
16“*A Message to Methodist Laymen of the Oklahoma–New Mexico Area*,” Stewart Papers.
17Bishop W. Angie Smith to James J. Stewart, November 8, 1956, LMDM Scrapbook.
18Quoted in a letter from R. L. Willingham to the pastors of the Albuquerque District, November 8, 1956, R. L. Willingham papers, Library of Phil Willingham, Oklahoma City.
condemned Stewart for going public with his charges before presenting them to the Bishop.19

On November 23 Stewart wrote Edwin Parker, the Superintendent of the Oklahoma City District, a preliminary letter stating that although he had preferred to take the issue of love gifts to the Council of Bishops "to avoid . . . unpleasantness and inconvenience . . ." he now planned to file charges. Before he did so, however, he wanted assurances that the meeting of the investigating committee that Parker would convene was to be open, and he also asked Parker if he was willing to swear that he had never solicited money for Bishop Smith.20 Whatever Parker may have replied, Stewart proceeded on December 14 to send a list of ten charges, the majority of which had to do with allegations about money and other gifts for Bishop Smith and his family.

On December 18 Parker was reported as saying that the investigation committee was in effect a grand jury and its meeting would not be open to the public. He also called Stewart a publicity seeker and said his failure to appear before the committee would mark him as a slanderer.21 The fifteen superintendents of the Oklahoma and New Mexico Conferences issued a statement that it was "beneath the dignity of competent men to consider" Stewart's charges. Parker also reported that there was support for trying to "defrock" Stewart but Bishop Smith "had advised against it, saying he should be loved and forgiven."22 A newspaper story the next day reported that the investigating committee had cancelled its meeting since Stewart would not appear. Stewart replied that the committee could not disregard written charges and repeated that he would attend any open hearing.23

On December 21, however, Parker wrote Stewart that his complaints were "being carefully considered by the Committee on Investigation," even though he personally did "not feel that they [were] worthy of consideration." Bishop Smith had insisted, he wrote, that the committee "carefully investigate each one of your complaints and send you a report of their findings."24

On the same day the Reverend Joe B. Scrimshire, Superintendent of the Carlsbad District in the New Mexico Conference, wrote Bishop Smith, refuting one of Stewart's charges as a "gross distortion of the facts," even though Stewart had access to them; he therefore considered Stewart to be

20James J. Stewart to Edwin W. Parker, December 10, 1956, Copy in Stewart Papers.
24Edwin W. Parker to James J. Stewart, December 21, 1956, Stewart Papers. Later Stewart was apparently to have difficulty actually getting a copy of the official report.
"unscrupulous" and affirmed his belief that any other minister in the Conference would give money to the bishop confident that it would be used for the benefit of the church and the "[a]dvancement of the cause of Christ." 25

Stewart then sent to Methodist laypersons in Oklahoma and New Mexico an undated letter containing his ten charges. He stated that his lawyer assured him that his evidence did support his complaints and concluded, "If my complaints are not true, then I am guilty of malicious libel and should be prosecuted. I am ready to defend them in any open hearing, church or civil, but Bishop Smith and his Committee will not consent to a hearing where the press can get the facts and give them to the laymen. Therefore, I have chosen this method of giving you the facts. I am confident that once the layment [sic] get the truth, they will save the Methodist preachers from humiliation and the Methodist Church from disgrace." 26

On January 8, Bishop Smith replied to a letter from Mrs. Russell C. Scott, a member of St. John's and a strong supporter of Stewart, in which she had inquired about possible episcopal double-dipping on travel expenses. Asserting that his records were "open to anyone who has any genuine interest and sincerity regarding them," he affirmed, "I state emphatically that at no time have I ever been paid for my expenses from any two sources including the World Service Commission or any other organization." 27

II

On the morning of January 10, 1957 the Committee on Investigation of the Oklahoma Conference 28 met at May Avenue Methodist Church at the call of Superintendent Edwin W. Parker. 29 Besides him, five members of the committee were present: Herman Ging, who apparently served as secretary,

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25 Scrimshire's letter is a part of the record of the trial "J. J. Stewart vs. Herman Ging, Owen Gragg, John W. Porter, Ben Sturdivant, Paul H. Tripp, Edwin W. Parker, Robert J. Smith, and Joe B. Scrimshire" (hereafter referred to as "Stewart v. Ging"), District Court, Bernalillo County, New Mexico, #68038 (initially filed April 1, 1957).

26 "A Message to Methodist Laymen."

27 Bishop W. Angie Smith to Mrs. Russell C. Scott, LMDM Scrapbook. Mrs. Scott is deceased, but her husband remembers her as having information to the contrary from someone on Bishop Smith's staff (Russell C. Scott to the author, January 4, 2000).

28 The records of the proceedings of this meeting and most of the evidence considered there have apparently not been preserved. Fortunately a partial description of the day appears in the depositions of Joe B. Scrimshire, hereafter referred to as "Scrimshire Deposition," that is a part of the record for the civil trial "Stewart v. Ging."

29 Parker was a leader in a drive to purchase a new car for Bishop Smith in 1956. His relationship with Smith seems to have been particularly close; he stated in a tribute shortly after the bishop's death that he had known him for "more than 45 years, from the time I was a college student and a member of his church ..." (Bishop W. Angie Smith, "Smith folder, Heritage Center, Oklahoma City).
Owen Gragg, John W. Porter, Ben Sturdivant, and Paul H. Tripp. In addition, another superintendent from the Oklahoma Conference, Robert J. Smith, and a superintendent from the New Mexico Conference, Joe B. Scrimshire, attended the proceedings. Stewart was not present. Bishop Smith was there during the morning, as was Dewey Etchieson, the superintendent for the Indian Mission. There was "a tremendous folder of documents," but it is impossible to know how much of it was material sent by Stewart and how much represented replies to his charges.

Definitely on the table was the list of ten charges from Stewart, for each of which he had supplied a supplementary note containing references to some supporting material. The charges against the Bishop, in their order of presentation, were: 1) "Accepting fees for consecrating and dedicating churches within his area," 2) "Permitting preachers to solicit money for him and for his family from their colleagues and church treasuries," 3) "Using district fund money for expenses in addition to his monthly expense check . . . , and for taking his wife on junkets in foreign countries," 4) "Using the general superintendent of the Indian Mission Conference [sic] . . . to solicit the Indians frequently for . . . valuable items . . . , for himself and family," 5) "Allowing a district superintendent to hold retreats for his preachers and laymen in a bar room . . . ," 6) "Allowing a preacher to collect money for Mrs. Smith by asking the congregation to lay an offering on the altar when they took communion," 7) "Accepting excessive fees for a preaching mission in a Methodist church within his area," 8) " . . . drawing around $500 annually from the New Mexico Conference for a New Mexico Episcopal Residence which does not exist," 9) trying to arrange for the Oklahoma Conference hospitalization insurance coverage to be steered to a company for which a son was an underwriter, at a cost of about $14,500 to the conference, and 10) "Threatening to sue an Indian layman . . . for refusing to repudiate a statement . . . concerning the solicitation of gifts from the Indians."

Following a prayer, Parker summarized the events leading to the meeting and asked the committee members their pleasure. They requested to hear from Bishop Smith, who "made a rather lengthy statement" asking the committee "to make a very thorough investigation" and replying to Stewart's charges. Following lunch, with the Bishop then absent, the committee worked through the material in the folder and discussed the charges. At some point Scrimshire thanked the committee for the invitation to have a New Mexico representative present and fielded a question about the eighth charge, the episcopal residence; this was the point about which he had written Bishop Smith earlier. Once discussion ended, the five committee members voted by
secret ballot as to whether the charges justified bringing the Bishop to trial, without taking them one by one. The decision was unanimous against recommending a trial. 34 A recess followed with Parker and Ging using it to put the finishing touches on the draft of an official report. Once the draft was reworked, all eight ministers signed the final ten-page report, and it was agreed to publish a two-page summary for the church paper, the *Oklahoma–New Mexico Methodist*. The eight men also signed it, and the meeting adjourned about 7:30 or 8:00 p.m. 35

In their release for the church paper, the committee and superintendents stated that Stewart had failed "to produce evidence to warrant [his] accusations" but they had "secured letters and personal evidence to cover every item he listed." Some of Stewart's charges were about things others did, not Bishop Smith. Stewart had "either willfully tried to deceive or [was] suffering from a greatly confused mind"; he was "guilty of the grossest type of unministerial conduct." An alleged claim by Stewart that the Bishop had moved him "because of his attitude on gifts" was false; the Bishop had always tried to help Stewart. Stewart had "violated his pledge at the [altar] to go where he was appointed and then set out, through the press, to smear the name of Bishop W. Angie Smith," an endeavor in which he "completely failed." He "demonstrated neither courage nor sincerity in this entire matter." The report, which went to over thirty thousand Methodists, concluded, "We have followed every law of the Church and have taken our time to investigate accusations which we found false brought seemingly with only the thought of public smear, but we have done so at the insistence of Bishop Smith that consideration to be given [sic] to everything. We commend Bishop Smith for his attitude and fairness, and condemn James J. Stewart for actions unbecoming a minister." 36

III

Before moving to the second part of this study—an examination of the merits of the charges against Bishop Smith and the procedures followed in relation to them, a glance at developments after the committee meeting is perhaps in order. It led to a church trial, at Stewart's request, in which the min-
ister was defrocked and expelled from The Methodist Church, and a civil trial, where he accused the investigating committee of libel and also lost. He returned to high school teaching and filled Presbyterian pulpits from time to time. He also continued his search for evidence of episcopal mishandling of finances and actually collected a reward from the Internal Revenue Service in one case. Bishop Smith continued to receive love gifts, draw honoraria for revival meetings, and make his official visits overseas with Mrs. Smith at his side until his retirement in 1968. Stewart and Smith both died in 1974, a few months apart.

Stewart's supporters in the Lay Movement for Democracy in Methodism were unable to win national church legislation about love gifts but were part of a successful effort at the General Conference of 1960 to limit bishops' tenures in one area to a maximum of "twelve consecutive years." This limitation was made even stricter in The United Methodist Church in 1976—"eight consecutive years" except in cases when "strategic missional reasons" called for one more four-year term. A bit more slack to what had become known as the "Smith-Corson rule" was allowed in 1996, when the extra years could be permitted if seen "to be in the best interest of the jurisdiction." Bishops' appointive powers were further restricted by a requirement of consultation with local church committees in 1972. In 1980 the investigation of charges against bishops was placed in the hands of a committee elected at the

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37 The official record of the church trial, held at First Methodist Church, El Paso, is currently unavailable. An envelope sealed until 2000, which could contain it, may soon become available. The record of the civil trial, "Stewart v. Ging," is unfortunately incomplete.

38 W. J. Pfenning to James J. Stewart, September 8, 1964; Pfenning was an officer of the Internal Revenue Service office in Chicago. Over twenty other efforts, however, resulted in no reward for Stewart.

39 The Rev. Wayne Coffin remembers, for example, that he was called by his superintendent in 1960 and told an amount to raise or pay to help Mrs. Smith accompany her husband to Europe (telephone interview by the author, January 22, 1997). Waldo Talmadge Oden, Jr. was frequently in Oklahoma Methodist headquarters in the 1960s when the amounts the bishop would receive for preaching missions were openly discussed (telephone interview by the author, August 29, 1996). Perhaps the greatest "love gift" of all was the transfer of the episcopal residence in the exclusive Nichols Hills area to the Smiths in 1963 for ten dollars (Oklahoma County Clerk's Office, Oklahoma County Records, Book 2917, Page 500).

40 Smith died on March 15; Stewart, on Thanksgiving Day. A news article reported that he "never ceased his efforts to regain his credentials as a Methodist minister" ("Expelled Minister James Stewart Dies," Albuquerque Journal, November 30, 1974, A-2).

41 Discipline, 1960, Par. 526.

42 Discipline, 1976, Par. 507.1; Discipline, 1996, Par. 407.1; Kirby, Episcopacy, 198, 207. Fred P. Corson was the only other bishop of the Methodist Church besides W. Angie Smith to serve twenty-four years in one location (Philadelphia).

43 Discipline, 1972, Par. 391.1. In 1976 the consultation process was spelled out in considerable detail (Discipline, 1976, Par. 529). By 1988 the General Conference felt the need to specify, "The role of the Committee on Pastor-Parish Relations is advisory" (Discipline, 1988, Par. 531).
jurisdictional level.44 So from then on no meeting like the one at the May Avenue church could occur again.

"Discipline, 1980, Par. 2623.2. In 1992 the General Conference specified that the committee itself would elect its chairperson (Discipline, 1992, Par. 2625.2a). The 1996 General Conference allowed for the presence of "lay observers" (Discipline, 1996, Par. 2626.2).