



DISCOVERY

edited by
Kenneth E. Rowe

Dividing the Assets of the Western Book Concern After 1844

by Walter N. Vernon

Following the division of the Methodist Episcopal Church into two branches in 1844-45, the Methodist Episcopal Church at its General Conference in 1848 declared the Plan of Separation of 1844 to be null and void.¹ Consequently the part of the Plan that authorized dividing the assets of the Methodist Book Concern was considered by the Book Concern to be cancelled. Furthermore, the Agents in New York were advised by legal counsel that they could not legally divide the funds nor could they agree to a Southern proposal for a legal arbitration. As a result, the Southern Commissioners resolved

. . . that it is expedient and necessary, in view of the rights and interests in controversy, that necessary suits be instituted as soon as practicable, for the recovery of the funds and property falling due to the Methodist Episcopal Church, South, under the Contract of the Plan of Separation, adopted by the General Conference of 1844.²

The suits were filed in the cities where the headquarters of the three agencies were located—in Philadelphia for the Chartered Fund; in New York for the Book Concern there, and in Cincinnati for the Western Book Concern.

The suit over the Chartered Fund never came to trial, being settled out of court. The suits against the New York Concern and against the Cincinnati Concern were filed in mid-1849. It was nearly two years later that the New York case was tried, and at its conclusion in the fall of 1851 the decision of the court was in favor

of the South. Eventually, the Southern Church was awarded a total of \$275,000, consisting of \$191,000 cash, to be paid over ten years, and ownership of presses and equipment at Richmond, Charleston, and Nashville.

The suit in Cincinnati, on the other hand, was decided by the court in favor of the Methodist Episcopal Church, but the decision was reversed by the Supreme Court in 1854. The court requested the representatives of the two churches to frame jointly the details of a settlement, and this was done early in 1855 at a meeting in Cincinnati.

The representatives of the Methodist Episcopal Church were Leroy Swormstedt, assistant agent at the Western Book Concern, 1836-1844, and agent from 1844 to 1860; Adam Poe, assistant to Swormstedt, 1856-1860, and Swormstedt's successor, 1860-1868; John R. Wright, assistant agent, 1832-36, and agent, 1836-1844; Edward Thomson, Editor of the *Ladies Repository*, 1844-1846, president of Ohio Wesleyan College, 1846-1860, editor of New York *Christian Advocate and Journal*, 1860-64, who was elected bishop in 1864; and Michael Marly, prominent member of the Ohio Conference, noted for his executive ability.

Representing the Methodist Episcopal Church, South, were A. L. P. Green, one of the foremost leaders in the Southern Church, and one of the four fraternal delegates to the Methodist Episcopal Church General Conference in 1848 when that Conference declined to enter into fraternal relations with the Southern Church; William A. Smith, considered the most prominent advocate of the Southern view in 1844-1860, and noted for his deliberative and forensic eloquence; Charles Booth Parsons, an actor-turned-preacher in the Southern Church in Kentucky who returned to the Methodist Episcopal Church at the outbreak of the Civil War; and Edward Stevenson, who had become in 1854 one of the Southern Book Agents, along with F. A. Owen.

Since this settlement has never been publicized as much as that with the New York Concern, and since it demonstrates how our church fathers negotiated a delicate (but heated) issue, it seems appropriate to present the minutes of the meeting at which the settlement was made. The minutes are now in the archives of the Library of the United Methodist Publishing House at Nashville. They were "uncovered" in the research being done on the history of the Methodist Publishing House.³ The longhand

document was transcribed by Oma Vaughn of the staff of the Curriculum Resources Committee of the Board of Discipleship. It reads as follows:

Methodist Book Concern
Cincinnati Feb. 12th 1855

The Commissioners appointed by the General Conferences of the Methodist Episcopal Church and the Methodist Episcopal Church South, respectively concerning matters in issue relative to the Western Book Concern, Met

at 9 o'clock A.M.

in joint session this day according to arrangements previously made, with a view to an amicable settlement under the decree of the U. S. Court. Present, Rev^d Dr.^s Smith Green & Parsons of the latter body & Rev. Messrs Swormstedt, Poe, Wright & Thomson of the former Rev^d W. Smith was appointed President & E Thomson Secy. Prayer by E. Thomson, Rev. M. Marlay being absent. After some preliminary enquiries The Commissioners adjourned to 9 o'clock Tomorrow.

Tuesday morning Feb. 13th 1855

Commissioners met this morning. Present Rev Dr.^s Smith, Green, Parsons, & Rev. Messrs Swormstedt, Poe, Wright, Marlay & Thomson. Prayer by Dr. Green. The decree of the U. S. Court having been furnished by the Southern Commissioners & duly considered, a free conversation was entered into in regard to the mode of estimating the respective shares of the property upon the footing of that decree; but neither party being prepared to make a proposition. On motion the commissioners adjourned to meet tomorrow morning at 9 o'clock.

Minutes read & approved,
Wednesday morning Feb. 14, 1855

Commissioners met this morning. Present Dr.^s Smith, Green & Parsons, & Messrs. Swormstedt, Poe, Wright, Marlay & Thomson Dr. Stevenson being also present.

On motion a Committee consisting of Bro.^s Poe & Smith was appointed to ascertain the number of preachers which is to be taken as an element of the calculation of the proportion of capital.

After an informal discussion of various points on motion adjourned to meet at 4 oclock.

Wednesday afternoon Feb. 14

Commissioners met this P. M. Present Dr.^s Smith, Green, Parsons & Messrs. Swormstedt, Poe, Wright, Marlay & Thomson & Dr. Stevenson Book agent of the M. E. Church South. Prayer by Dr. Parsons. The following communication was read.

Cincinnati Feb. 14, 1855

Rev. Drs Smith, Green & Parsons, Comrs & C. Dear Brethren Having carefully & honestly calculated the claim of the church you represent in the Methodist Book Concern in this City under the decree of the U.S. Court & deeming it improper to allow ourselves any chaffering⁴ or diplomacy which might provoke unchristian feeling without bringing us to agreement, we have concluded at once to state the *utmost* that we deem ourselves at liberty to offer you; that is to say seventy thousand dollars.

Hoping that you may think it proper to accept & thus close an unpleasant & expensive litigation.

We are Yours Respectfully

(signed) John F. Wright
E. Thomson
M. Marley
Leroy Swormstedt
Adam Poe

To which the following answer was returned.

Cincinnati Feb. 14, 1855

Rev. Dr. Thomson & others commissioners & C.

Dear Brethren

Having received

your proposition of this date to allow us seventy thousand dollars in settlement of our claim against the Cincinnati Book Concern, to which we are entitled under the decree of the Supreme Court of the U. States, Respectfully submit that from an accurate calculation based upon your own exhibits from year to year since the

separation in 1845 we find ourselves entitled to from ninety to ninety-six thousand dollars according as certain indefinite points in your exhibit might determine and that therefore we could not in justice to the interests we represent accept your offer as a settlement of our claim, and earnestly express the hope that you will reconsider your decision.

Yours Respectfully,
 (signed) Wm. A. Smith
 A. L. P. Green
 C. B. Parsons

Adjourned to meet at 10 oclock tomorrow.

Cincinnati Feb. 15, 1855

Commissioners met this morning. Present Dr^s Smith, Green & Parsons & Revd^s Messrs. Swormstedt, Poe, Wright, Marlay & Thomson & Rev. Dr. Stevenson agent of the Book Concern of the M. E. Church South. Prayer by Bro. Swormstedt.

The Southern Commissioners after private deliberation presented the following.

Feb. 15, 1855

Commissioners of Meth. E. Church,
 Dear Brethren,

You request us to make a proposition, Although we are without all data on which to form an opinion except that furnished by your own exhibits, which entitle us to over 90,000 \$ according to our calculation. Still we are so solicitous to close this business for the sake of peace, that we do hereby agree to settle with you under the decree of the Supreme Court of the U. States in full of all our claims against you, by your paying us Eighty thousand dollars and the Southern debts,⁵ as follows, Viz fifteen thousand dollars in cash, Ten thousand dollars in one year; ten thousand in two years; ten thousand dollars in three years; ten thousand in four years and five thousand in five years, and twenty thousand in stock in the next two years including what may be now due by Stevenson & Owen for purchases already made, this twenty thousand dollars to be paid in book stock upon reasonable business terms. For all the amounts herein provided to be paid, you will execute your bonds

to Messrs. Stevenson & Owen bearing interest from date, to be paid annually. This you will please consider as our *ultimatum*.

Very Respectfully
 (signed) Wm. A. Smith
 A. L. P. Green
 C. B. Parsons

After an interchange of views; to give the Bretheren of the commission of the M. E. Church opportunity for consultation On motion adjourned to meet at 3. P.M.

Cincinnati Feb. 15, 1855

Commissioners met this day at 3. P.M. Present Drs. Smith, Green & Parsons, Messrs. Swormstedt, Poe, Wright, Marlay, & Thomson & Dr. Stevenson Book agent of the M. E. Church South. Prayer by Dr. Stevenson.

The following communication was read

Cincinnati Feb. 15, 1855

Rev. Dr.S. Smith, Green & Parsons
 Dear Bretheren

As your proposition of this morning (when we take an account of some omitted items) does not vary much from our own, we accept it, on condition that the following modifications of the details are made viz, 1st That the present debt against Messrs. Stevenson & Owen be taken out of the first payment and 2nd That the notes to be given for subsequent payments, mature on the 1st of November in each year named commencing November 1856.

(signed) John F. Wright
 E. Thomson
 M. Marlay
 Leroy Swormstedt
 Adam Poe

The Southern Commissioners without retiring announced that they assented to the proposed modifications of their proposition & therefore that their claim was adjusted to their satisfaction.

On motion Dr.^s Green & Thomson were appointed a committee to draw a statement of the settlement for the Court.

Footnotes

¹ *Journal of the General Conference of the Methodist Episcopal Church*, 1848, pp. 80-85.

² Henry B. Bascom, *A Brief Appeal to Public Opinion, in a Series of Exceptions to the Course of Action of the Methodist Episcopal Church from 1844 to 1848, Affecting the Rights and Interests of the Methodist Episcopal Church, South* (Louisville: Morton and Griswald, 1848), pp. 200-202.

³ Volume I of *The Methodist Publishing House: A History* was written by James P. Pilkington and published in 1968. Volume II is now in process by Walter N. Vernon.

⁴ "Chaffering" is an obsolete term meaning "to bargain." In spite of this disclaimer, these minutes indicate a moderate amount of "chaffering."

⁵ The "Southern debts" are evidently the amounts owed the Book Concern by Stevenson and Owen, Southern Methodist Agents, for books and supplies already purchased.