



THE TEXAS WESLEYAN BANNER. CHAUNCEY RICHARDSON, EDITOR. SATURDAY, JUNE 28, 1851.

Our Paper.

We are gratified in being able, after several weeks of unavoidable delay, to present to our readers the "Banner" in a new dress. It has been our desire that in neatness of appearance and mechanical execution, the Banner should not suffer in comparison with any of our Church papers, and we trust it will not. If we can succeed in making its matter as valuable as its appearance is beautiful, we shall be gratified.

Saturday will be our day of publication for the present, as all the mails leave this city on that day. In the first issue of the new volume we have anticipated the regular day of publication. We were not able to issue on last Saturday, and knowing the extreme anxiety of our readers to see the Banner, we were unwilling to delay a day beyond absolute necessity in affording them the gratification so much desired.

It will be gratifying to the friends of the Banner to learn that some gentlemen in this city have generously assumed its pecuniary responsibilities for one year, if not for more, with the confident hope of the zealous and persevering co-operation of the ministry and membership of the Texas and East Texas Conferences. Without the hearty co-operation of these two conferences the burden imposed upon these gentlemen will be too onerous to be borne, but with their co-operation, the noble enterprise can be sustained without any future involvement of liabilities on their part.

Ten per cent will be allowed to the agents for all moneys collected and remitted to this office.

Let every remittance be accompanied with a distinct statement of the names of the subscribers, their post-offices, and the volume, or volumes for which credit is to be given.

We send to all our subscribers who have not signified their wish for discontinuance presuming that they consider themselves as pledged for the third volume.

Those who have not paid for the third volume, are requested to do so immediately, to our agents, or to this office. Advance payment is essential to the success of the Banner. Our agents will, therefore, solicit advance payment in every instance.

It is the opinion of many of the warm friends of the Banner, that by a diligent effort on the part of our agents, the subscription list could be doubled in a short time. Shall this effort be made? Shall the subscription list be doubled immediately? Let every agent respond with the result of a renewed effort.

We have been gratified with the multiplied inquiries coming from the various sections of the State, "When will the first number of the third volume of the Banner appear?" "How we miss the Banner," has been remarked by a great multitude. It affords us great pleasure to be able to relieve the anxiety of our friends, while we gratify their wishes in the renewal of our weekly communion with them.

It will be our endeavor, as intimated in the last number of the second volume, to make the Banner as attractive in every respect as we may be able, by diligence and close application to our vocation, to do.

That our readers may form some faint idea of the perplexing duties of an editor, we append the following lines, which are forcibly descriptive of editorial life:

Sit! sit! sit! From matin hour till twilight gloom, He's a "fixtore" there in his dusky room: Away the moments flit! And the world outside with joyous din, Moves gaily on—but the world within Is labor, and toil and care; No turn knows he in the weary day, But the turn that shows the pivot's way, As he turns his easy chair.

Think! think! think! In the smith's bright forge the fire glows, But the smith himself the bellows blows— Unheeded the hammer's clink! Not so the fire that lights the brain Of him who wears the galleys chain, Or makes the press-gang go! He must flash with light and glow with heat, With quill in hand his brain must beat— But never intrude a brow.

Write! write! write! Though fancy soar on a tired wing, She must still her tribute celestial bring, Nor own a weary flight! And reason's powers and memory's store Must prove the strength, and bring the lore Antique, sage and mystic; For those the uttermost thought and particle Must go into to-morrow's "leading article" Of argument—art—statistic!

Clip! clip! clip! No "cabbing" shears his hand doth hold, But those with which the current gold By lawful right he'll clip— The "Devil" is gone, but he will not fall Of a prompt return of the morning mail— A basket full of "exchanges," And these the Editor opens and skims— Accidents, deaths, discoveries, whims, As over the world he ranges!

Paste! paste! paste! With a camel's hair-brush and a broken cup, He gathers the scattered paragraphs up And sticks them on in haste. The "Devil" appears, with a grin and a bow, "Please sir, they're waiting for copy now." He says in accents solemn: The foreman thinks he'll soon impose The outside form with scraps of prose, And the leader may be a column.

Pay! pay! pay! The world is done work on a Saturday night, And bounds with a stop of gay delight To his wife and babes away! But round the Editor sees a score Of honest JACONS, who tease him sore— And he may not be unhelpful; And bright is the wit that can furnish there The means to relieve them all from care, By shelling out the "needful."

We are fully aware that no small responsibility attaches to our position. We address several thousands weekly, and vast interests are involved in the impressions that may be made. We feel our responsibility, and deeply do we feel our need of aid from on high. While we shall devote all our energies to enrich the columns of the Banner we earnestly solicit the co-operation of every friend of the Church and of the State in the great work in which we are engaged.

The Prospects of Texas.

The present is the brightest, the most promising day that ever shone upon Texas. With her vast and fertile domain, her navigable rivers and bays, her adaptation of soil and climate to two of the most valuable staples grown in the American Union, her rapidly increasing population, and her ample means to command to meet all her liabilities—to make sundry valuable internal improvements and to establish a popular system of education, she stands forth to the public eye as the most independent, the most attractive and the most desirable State in the Confederated Sisterhood.

From every section of the State, tidings of prosperity reach us. The wilderness is literally being turned into fruitful fields and over vast tracts of territory recently traversed by the Indian and the buffalo the genius of industry and civilization is accomplishing marvelous transformations. Towns are rising into view and importance—farms are being opened, colleges reared and roads constructed all as by magic.

The tide of immigration setting towards Texas, which has for many months, been increasing in magnitude and velocity, has not yet reached its maximum of breadth and power, as the coming fall and winter will bear testimony.

The prosperity of Texas is now only in the maturity of the bud. The opening flower will be most beautiful and lovely to the eye and exhale a rich and enduring fragrance. The substantial and gorgeous fruit will be the abiding inheritance of our posterity, through coming generations. Especially will this be the case, if her religious and educational interests shall advance in companionship and communion with her general prosperity. It becomes the wise and the good of every creed and distinctive name, to co-operate in the accomplishment of this grand end.

The elements of greatness and power are possessed by Texas in an eminent degree—These elements must be developed, directed and controlled, in their expansion and operation, and thus be made most efficient auxiliaries in the formation of a great intelligent moral and happy people—a magnificent state.

Methodist Press.

The Memphis C. Advocate contains a communication from the pen of J. W. McFarlan, which shows off the Baptist Almanac in no enviable light. The same paper contains an editorial in review of the late editorial in the New Orleans C. Advocate on "The Preachers—where are they?" Our Br. McTyeire is getting into hot water fast. President Deems and Dr. Ebbert are down on him with their hard lies. Should he find himself inconveniently pressed by those and other opponents, he doubtless consoles himself with the reflection that Bishop Capers and Rev. J. B. McFerrin will lend him aid.

The New Orleans Christian Advocate has directed its artillery against the South Carolina Conference, for presuming to publish an unofficial edition of the Methodist Discipline, and also against the Southern C. Advocate for defending said publication, and has given them a raking fire. This youngest of the Advocates in the sisterhood shows good spunk in the premises, and battles nobly.

The Nashville and Louisville C. Advocate has a leader devoted to a defence of the ultra views respecting the pastorate, set forth in its columns from the pen of Bishop Capers, and endorsed by the senior Editor against the severe animadversions of Rev. F. G. Ferguson.

The Bishop's letter, and its endorsement in that paper, took us by surprise. Both writers virtually belonged to the class of preachers placed under the ban. Consistency, in the announcement and advocacy of such ultra views of the functions of the ministry, would suggest a resignation of their respective offices, as an appropriate preface thereof. But they seem to have lost sight of the fact, that they legitimately belonged to the condemned class, else they must have presumed that they were entitled to higher consideration than their brethren. Either horn of this dilemma would go badly.

The Southern Christian Advocate contains a labored and strong vindication of the special edition of the Discipline. We have deeply regretted that the 9th section, omitted in this edition, had not been omitted by order of the General Conference in the official edition. We have sympathized with the good people of South Carolina, with respect to their grievances in the premises. But we regret that they did not brook their difficulties until the next General Conference, which we feel confident, will expunge the obnoxious section from the Discipline.

The Richmond Christian Advocate copies the strictures of the N. O. C. Advocate on

the action of the South Carolina Conference, in publishing a special edition of the Discipline, with an endorsement thereof.

The tone of the Northern Church papers, in reference to the claims of the M. E. Church, South, on the funds of the Book Concern, has greatly moderated since the investigation of those claims before the Circuit Court. There are signs of a better state of feeling pervading the Northern Church—An interchange of fraternal christian courtesies between the two branches of the M. E. Church may be witnessed by the present generation. Let all the people say, Amen.

The Church Split.

Several of our exchanges contain lengthy reports of the proceedings in the United States Circuit Court for the Southern District of New York, in reference to the suit pending between the M. E. Church, South, and the M. E. Church, in the matter of the Book Concern. These reports are too voluminous to appear entire in our columns. We merely have space for a brief statement and two letters from Rev. W. A. Smith, D. D., one of the Southern Commissioners, who was an eye and ear witness of all the proceedings in the case, to the Richmond Christian Advocate, which present the most concise and consecutive report in the premises, that we have seen.

The case was brought before Judges Nelson and Betts, on the 19th ult., the Rev. Drs. Early, Parsons and Smith, representing the M. E. Church, South, and the Rev. Drs. Scott Peck Durbin and Kennedy the Church, North. The Court room was thronged at an early hour, and generally every day, of the interesting and exciting proceedings in this important suit.

The title of the case is, Henry B. Bascom and others vs. George Lane and others. The complaint is filed in equity for the purpose of enforcing a division of the Methodist Book Concern. The Hon. Reverdy Johnson, of Baltimore, and Dan' Lord, Esq., of New York, appeared for the Complainants, Mr. Webster, who is also engaged on the same side, being absent. The Hon. Rufus Choate, of Massachusetts, and George Wood, Esq., of New York, appeared for the Defendants. No decision has been given by the Court, but the remarks made by one of the Judges at the conclusion of a full hearing of the merits of the case as presented in evidence and in argument of Counsel indicate most unmistakably that the opinion of the Court, so far as made up, is in favor of the Southern Church.

Mr. W. P. Bryant—Dear Sir:—At 10 o'clock, this forenoon the Circuit Court of the United States of the Southern District of New York took up the case of the Methodist Episcopal Church, South, against the Methodist Episcopal Church. The day was occupied by D. Lord Esq., of this city for the South. He opened the case in the following order of remark:

He first gave a brief detail of the several matters, not generally known, and which he deemed it highly necessary for the Court to have in view in order to a proper understanding of the terms used in a proof, with the facts and arguments of the case.

In this connection he gave a brief history of the Book Concern. The origin of a systematic plan of publishing and distributing books, as an important auxiliary to the itinerant system, was with Mr. Wesley. The present Book Concern originated with the Rev. Ezekiel Cooper of the Methodist connexion in this country, and was first established in Philadelphia. It was subsequently removed to this city, and by the year, 1836 it had become an eminently valuable publishing concern. The buildings having been destroyed by fire the preceding year, in this was rebuilt on a much larger scale; and, in 1844, was estimated to be worth about \$750,000. The books of this immense establishment were under the laws and usages of the Church from the beginning distributed by the preachers among the members of their several charges—thus affording the establishment a monopoly of the trade as the result of the devotion and services of the preachers. The profits after providing for an increase of capital, were applied to make up the deficiencies of those preachers in the regular service, whose claims were not fully met by their charges, and the widows and children of deceased preachers and also to pay the claims of the superannuated and superannuated preachers—terms which he also explained.

He then explained what was meant by the Annual Conference, remarking, that at the organization of the Church, at the Christian Conference. Soon after the body of ministers were divided and multiplied, according to the location of their fields of labor. Into district meetings called annual Conferences from their having to meet once a year. These Conferences were employed in the examination of the character of the preachers, and matters of interest. The legislative power was at that time vested in what was called a General Conference, composed of all the travelling Elders of the several Annual Conferences and met once in four years, up to the year 1808. The power of this body being absolute, was considered dangerous—they could change the articles of religion, or effect any other change or modification by a mere majority of vote. A delegated General Conference, from the several Annual Conference, was agreed upon, with certain restrictions upon its powers—such restrictions, as they define either in terms or by fair construction, the full powers of the body, may be regarded as the Constitution of the Church. He quoted the restrictive articles, and drew particularly on the sixth. In his views, all the legislative power strictly belong to a Church, according to the Holy Scriptures, belonged to this General Conference, according to this Constitution, except that withheld by the restrictive articles.

In the second place, he called attention to the particular controversy in this case. He sketched a history of the action of the Church on the subject of slavery. In the beginning she took extreme grounds on the subject, resulting in an excitement which threatened the dismemberment of the Church. She soon receded from her stringent measures,

and ultimately, between the years 1801 and 1813, adopted a conservative position, subjecting the single right, either of character or property, which arose under it. I need not attempt an analysis of the arguments by which these various points were sustained—Questions of Constitutional law and facts of history were all examined with great care and presented with equal clearness and force. The Rev. Dr. Early will publish a full report of this whole case. Points are raised in this discussion which did not come up in the General Conference of 1844. The report of the speeches and documentary proofs in this case will furnish the fullest and most satisfactory discussion of the Constitutional laws and usages of the Methodist E. Church that has ever been given to the world. The publication, (whatever may be the decision of the court—and we do not doubt that it will be favorable) may therefore be looked for with interest by every reading or intelligent Methodist in the country.

Mr. Lord is a gentleman of the finest logical attainments. The style of eloquence adopted on this occasion, and that which is evident in the most common to him, was what is called the "retentive." Calm, clear and forcible, it was at the same time inspired with the deepest feeling. Indeed he feels that the South has been wronged—deeply, grievously wronged. His examination of the whole case and the fact (which my personal intercourse with him warrants me in believing) that his heart is in the right place, could not fail to enlist his feelings very deeply in this cause. Still his language and manner was "retentive," but so unaffected at the same time that they did not fail to carry his candid hearers to an extreme of most indignant feeling especially when the few and well chosen figures he employed, revealed as with the light of the sun, the grievous injustices to which the claimants had been so long subjected.

Mr. Lord closed his remarks about 12 o'clock to day (Thursday) Honorable Rufus Choate, of Boston, was to succeed him, for the defendants. This gentleman, however had not made his appearance in Court to day. It was said he was unwell. The Court of course adjourned to hear Mr. Choate on tomorrow.

It was stated by defendants' counsel that Mr. Choate was entirely too unwell to argue the cause—being in the hands of a physician—asked that the argument be postponed until Monday next—to which the Court assented, stating that the argument must certainly proceed on Monday by some one of the defendants' counsel. Mr. Choate is no doubt quite unwell. The difficulty of defending so unjust a cause, especially after so fearful an exposure of its weakness and folly, as has been made by Mr. Lord, is surely enough to make any common man sick; and Mr. Choate is a peculiarly sensitive

From what I can learn there is a very common feeling of interest for the South, and the party themselves, even the leader, Dr. G. Peck has been heard to say, after doing, and continuing to do, every thing that could be done to prevent it that they wished the South had their money. I predict for the week that the day is not far distant when the willing disagree, which an enlightened public opinion will visit upon them for the impropriety of trying to keep money which they knew did not belong to them, will make them wish it with more honesty than we fear some of them now do. Yours truly, W. A. SMITH.

New York, May 19, 1851.

had actually taken place, under the plan, could not obliterate the separation itself, or allocate a single right, either of character or property, which arose under it. I need not attempt an analysis of the arguments by which these various points were sustained—Questions of Constitutional law and facts of history were all examined with great care and presented with equal clearness and force.

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New York, May 19, 1851.

New York—Court Room, May 24th, 1851.

Mr. W. P. Bryant—Dear Brother,—On Monday, the 20th, the Court resumed the consideration of the Church case, postponed on Friday last, in consequence of the indisposition of Mr. Choate. This gentleman commenced his argument in behalf of the defendants and occupied the day—resumed it on Tuesday, and spoke until near twelve o'clock, occupying in the whole near seven hours.

Mr. Choate is, doubtless, a fine scholar with good legal attainments and considerable address in debate. As a speaker, he stands pre-eminent. With great fluency of language, and an exuberant imagination he drew course shrouds in tropes and figures which he uses with great effect upon a popular assembly; but, as in most instances in which these rare and invaluable gifts have been cultivated to the neglect, in some marked degree of strict logical accuracy and force, it is an effect which causes more to the enlightened and convincing views of the subject itself.

But to the argument of Mr. Choate in this case. "The Church, North," he said, "is an ungrateful attitude" in this controversy—asserting to the separation, but refusing to divide the funds." He attempted to relieve them from this awkward position, by casting the blame on the Southern delegates in the General Conference of 1844—they were in a bad temper, and inflamed and irritated a quiet and loyal people and thereby created a necessity for division, which in reality had no existence." This of course afforded a fruitful theme for the eloquent declaration of the speaker. I need not remark on it, to the readers of the Advocate. They know it to be as good as the "attitude" of the North, from which the defendants sought to relieve themselves, was "ungrateful." I may only give you a sketch of the grounds upon which he made his stand, and first, that the "necessity" for separation, which according to the plan of separation, must be found to exist, did not in fact exist; and second, that the General Conference of 1844 had no constitutional power to adopt such a "plan" for the division of the Church and the plan itself was therefore a nullity; and third, that if they had the power, that then the "plan" itself was still inoperative because it had failed in one of its principal conditions, the alteration of the "sixth restrictive article."

On the first point—that the necessity did not exist—he argued, that the grounds, and the only grounds, alleged for this "necessity" in the declaration of the Southern delegates had no existence in fact. The act of secession from Methodism. It was as fully a Methodist Episcopal Church now as before—embodying no more nor less than the well known distinctive features of Methodism, both in christian doctrines and ecclesiastical government. The Southern organization being thus fully authorized and accredited, and could therefore operate no further of the rights of any who held connexion with it. The failure of the Northern Conferences, the holders of the property to occur in the alteration of the "restrictive article" (if indeed they had failed to do so), if allowed to operate at all, could only effect a *stupendous fraud*, which could certainly find no sanction in a court of equity. The allegation of the defendants, that the right of the Southern Church, was conditioned upon the approbation of the Northern Annual Conferences, was wholly idle, being contradicted by the express terms of the *plan of separation*; and their failure, (even if allowed to be true) to carry out the conditions of the plan to the border lines, after the separation

was latin quotations. I, of course as also did my counsel, felt greatly amused that the material fact in the "declaration," which should have engaged his attention, and which if it were true is perfectly fatal to his cause, was adroitly not alluded to at all—that is that the facts quoted must produce a state of which renders a continuation of this General Conference inadvisable.

On the second point—that the necessity did not exist—he argued, that the grounds, and the only grounds, alleged for this "necessity" in the declaration of the Southern delegates had no existence in fact. The act of secession from Methodism. It was as fully a Methodist Episcopal Church now as before—embodying no more nor less than the well known distinctive features of Methodism, both in christian doctrines and ecclesiastical government. The Southern organization being thus fully authorized and accredited, and could therefore operate no further of the rights of any who held connexion with it. The failure of the Northern Conferences, the holders of the property to occur in the alteration of the "restrictive article" (if indeed they had failed to do so), if allowed to operate at all, could only effect a *stupendous fraud*, which could certainly find no sanction in a court of equity. The allegation of the defendants, that the right of the Southern Church, was conditioned upon the approbation of the Northern Annual Conferences, was wholly idle, being contradicted by the express terms of the *plan of separation*; and their failure, (even if allowed to be true) to carry out the conditions of the plan to the border lines, after the separation

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From the Christian Observer.

Summer. BY MARY ROSEAUX. Light is beaming, light is beaming...

Flowers are wreathing, richly wreathing, Charming around our path; Fragrant breathing, fragrant breathing...

Streams are springing, streams are springing Through the thirsty ground; Birds are singing, birds are singing...

Do they elude thee gently elude thee, Far thy absence life; Would they guide thee, would they guide thee...

Would that never, would that never They should speak in vain; But that ever but that ever...

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BIOGRAPHICAL.

For the T. W. Banner.

DIED.

In Anderson Grimes County, Texas on the evening of the 2d of May, 1851, Mrs. Harriet C. Boggs...

Her parents were pious members of the M. E. Church and from them she received religious instructions...

She experienced conversion and attached herself to the M. E. Church, South in 1849, from which date she adorned the doctrine of God our Savior...

During the last five months of her life she was the subject of painful affliction but she cheerfully and supported by a hope full of immortality...

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THE PHILOSOPHER'S STONE.

BY ELIZA COOK.

O, what can that be that with earnest endeavor We seek for in vain, yet keep seeking forever?

We go on pursuing, we go on believing, Still and still we seek something that's deceiving;

The child looked out on the sunshine and morn, And he sees what the alchemist toils for in both;

When the heat and the light make him weary and sore, And he finds we may tire of the summer day's

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RIDDLE.

P II M K O M

These letters, in the proper place, Will show the world and thee

The above riddle we cut from an old paper The solution will be found in folding the upper line partly over the lower line of capitals.

ADVERTISEMENTS.

FAMILY GROCERIES.

WILLIE & McCREGOR are receiving fresh supplies of family Groceries, by each steamer from New Orleans.

WASHINGTON GOUCHER, BRICK-LAYER, KELLEY-SETTER AND BIGGS-BRICK-MAKER.

MARTIN & BUTT, (Successors to A. McQueen.) WHOLESALE AND RETAIL DEALERS IN SHOES AND TIN WARE.

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THE MEDICINE MAN'S FRIEND. HAS most been about a year, for the American people, a medicine for the cure of all kinds of fevers.

CHOLERA SYMPTOM. THOUSANDS are willing to certify to the superior efficacy of this wonderful and pleasant medicine for cholera, dysentery, etc.

EXECUTOR'S NOTICE. THE Honorable Probate Court of Navarro County, Texas, having granted to the undersigned Executor Letters on the estate of Eschley Harris, deceased, all persons having claims against said estate, are hereby notified to present them within the time prescribed by law.

FIRE-PROOF WAREHOUSE. STORAGE FORWARDING AND COMMISSION. THE undersigned having commenced the business of storing and forwarding goods in a fire-proof building, situated on the corner of the street between the street and the street, in the city of Houston, Texas, and having secured the services of a competent and experienced agent, he is prepared to receive and store all kinds of goods, and to forward them to any part of the world, at the lowest rates.

ENCOURAGE HOME INDUSTRY. HAT MANUFACTORY. SIGN OF THE BIG HAT. WHERE HATS of every description are made to order at short notice, and at low prices, and warranted to wear well.

BRIGGS & YARD'S CLOTHING GOODS AND STORE. Hats and gentlemen's Furnishings, Ensigns, consisting of every article of men's and boys' wear, on hand.

COMMISSION RECEIVING AND FORWARDING MERCHANT. And Dealer in Live Stock, viz: Spanish Horses, Breeding Mares, Males, Sheep, &c.

WILLIAM HENDELY & CO. Agents of the Texas and New York line of Packets and general shipping and Commission Merchants.

INSURANCE. Five, Inland and Marine, by the Protection Company of Hartford, Conn. CAPITAL STOCK \$200,000 DOLLARS.

WILLIAM HENDELY & CO. Agents of the Texas and New York line of Packets and general shipping and Commission Merchants.

GEORGE STOWELL, Administrator of the estate of Joseph S. Low, deceased, having filed his final account of the administration of said estate for a year, and his petition for discharge therefrom, this is to notify all persons who have claims against said estate, to file the same with me, as Auditor of the Court, on or before the 1st of July, 1851.

W. R. BAKER, Clerk of the Court. J. FREDERICH & CO. (Successors to A. J. Frederick & Co.) GALESTON TEXAS.

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VARIETY STORE.—The subscriber respectfully informs his old friends and customers, that he has established himself in a new location, in the city of Houston, Texas, at the corner of the street and the street, in the city of Houston, Texas, and has secured the services of a competent and experienced agent, he is prepared to receive and store all kinds of goods, and to forward them to any part of the world, at the lowest rates.

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