

T. F. SMITH ET UX

WARRANTY DEED TO

FIRST PRESBYTERIAN CHURCH

JANUARY

~~February~~

THIS INDENTURE Made the 14 day of February A. D. 1949 between T. F. SMITH and wife
BLANCHE SMITH Party of the first part, and J. G. KIMMONS, W. C. STEVENSON & DAVENPORT BIGGERS Party of the
CHURCH, U. S. CORINTH, MISS. TRUSTEES OF THE FIRST PRESBYTERIAN
second part, Witnesseth, that the said part of the first part, for and in consideration of the sum of
& no/100 - - - - - DOLLARS to them in hand paid by the said part^{ies} of the second
part, the receipt whereof is acknowledged, haVE granted, bargained, sold and conveyed: and by these presents do grant, bargain, sell and convey to
part^{ies} of the second part their SUCCESSORS heirs and assigns, that certain tract or parcel of land situated in the County
of Alcorn and State of Mississippi, known and described as follows:

Commencing at the south east corner of Block 3 in TYRONE HEIGHTS
SUBDIVISION in SECTION 36, TOWNSHIP 1, RANGE 7, and run WEST 100 feet,
thence NORTH 145 feet, thence EAST 100 feet, thence south 145 feet,
to point of beginning. This property is known as the ALAMO TOURIST
COURT.

This deed carries with it, all buildings, GAS HEATING SYSTEM
ALL PLUMBING and ELECTRIC LIGHTING used in connection with said
TOURINST COURT, but does not carry with it the stock of merchandise
Cafe furniture and equipment, counters, shelving, scales, Etc.

together with the appurtenances to said premises belonging, and all estate, title and interest, both in law and in equity, of the part^{ies} of the first part
in the same. successors

TO HAVE AND TO HOLD the said granted premises, with the appurtenances, unto the part^{ies} of the second part, their heirs
and assigns forever in fee simple. And the said part^{ies} of the first part for their heirs, executors and administrators, do SS
hereby covenant and agree with said part^{ies} of the second part their successors heirs and assigns and the said part^{ies} of the first part shall
forever warrant and defend the title of the said premises unto the part^{ies} of the second part their successors heirs and assigns, against the claim
of all persons lawfully claiming the same, or any part thereof, except on account of taxes due from and after the 1 day of Jan. 1949

IN WITNESS WHEREOF the said part^{ies} of the first part ha^{ve} hereunto set hand
and seal the day and year above written.

T. F. Smith (L. S.)
Blanche Smith (L. S.)
(L. S.)

THE STATE OF MISSISSIPPI } PERSONALLY appeared before me the undersigned official of the County aforesaid,
Alcorn County }
the within named T. F. SMITH and wife BLANCHE SMITH who acknowledge that they
signed, sealed and delivered the foregoing Deed for the purposes therein expressed, on the day and year therein mentioned, as their act and deed.
Given under my hand and official seal, this 15th day of Jan. 1949
Hoyt D. Jobe (L. S.)

THE STATE OF MISSISSIPPI } THIS DAY came before me _____ the within
Alcorn County }
_____ wife of the within named _____
who, upon being examined privately by me, and apart from her husband, acknowledged that she joined her husband in the foregoing conveyance, and signed
sealed and delivered the same freely and voluntarily, without fear, threat or compulsion of, from or by her husband, but for the purposes therein expressed.
Given under my hand and official seal, this _____ day of _____ 19_____
(L. S.)

THE STATE OF MISSISSIPPI } I H. J. Madden Clerk of the Chancery Court of said County,
Alcorn County }
certify that the within Deed was received here for record on the 28 day of February A. D. 1949 at 10
o'clock A. M., and has been duly recorded by me in Deed Book No. 85, page 356
Given under my hand and official seal, this 3rd day of March 1949
H. J. Madden

EXHIBIT "A"

W. G. KIMMONS, ET AL \$1065 Rev. Pd.
Trustees of The First Presbyterian Church, U. S.
Corinth, Mississippi

J. SAM SHARP WARRANTY DEED TO:

This Indenture Made the 15th day of January, 1949, between J. SAM SHARP, DAVE P. SHARP and FRANK T. McAMIS, parties of the first part, and W. G. KIMMONS, W. C. STEVENSON and R. M. HIGGERS, TRUSTEES OF THE FIRST PRESBYTERIAN CHURCH, U.S., CORINTH, MISSISSIPPI, parties of the second part.

Witnesseth, that said parties of the first part, in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, to them in hand paid by the parties of the second part, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and warrant unto parties of the second part the undivided Three-fifths (3/5) interest of parties of the first part in and to the following described land, to wit:

Beginning at the Southwest corner of Block 3, Tyrone Heights Subdivision of the city of Corinth, run East 100 feet along the North side of Seventh Street for a true beginning; Run thence North 300 feet; run thence East 100 feet; run thence South 145 feet; run thence East 100 feet; run thence South 10 feet; run thence West 100 feet; run thence South 145 feet; to Seventh Street; run thence West along the North side of Seventh Street to the true beginning. Said Block 3 being located in the Southeast Quarter (SE 1/4) of Section 36, Township 1, Range 7, of Alcorn County, Mississippi.

The above described land being owned by T. J. Sharp at the time of his death; said T. J. Sharp, deceased, leaving as his sole heirs-at-law J. Sam Sharp, Dave P. Sharp, Mary Sharp, McAmis, M. T. Sharp and J. Henry Sharp; Frank T. McAmis being the only heir-at-law of Mary Sharp McAmis, deceased.

It is the intention of the Grantors to convey all of their right, title and interest as heirs-at-law of T. J. Sharp, deceased, in and to the East Two-thirds (2/3) of Block 3, Tyrone Heights Subdivision of the City of Corinth, Mississippi.

IN WITNESS WHEREOF the said parties of the first part have hereunto set their hand and seal the day and year first above written.

J. Sam Sharp
D. F. Sharp
Frank T. McAmis

STATE OF MISSISSIPPI
COUNTY OF ALCORN

Personally appeared before me the undersigned authority in and for the County and State aforesaid, J. Sam Sharp, Dave P. Sharp and Frank T. McAmis, the within named, who acknowledged that they signed, sealed and delivered the foregoing Deed for the purposes therein expressed, on the day and year therein mentioned, as their act and deed.

Given under my hand and official seal, this 15th day of January, 1949.

(SEAL)

My Commission expires Jan. 11, 1951.

E. H. Moss
Notary Public

STATE OF MISSISSIPPI
Alcorn County

I, Herman J. Madden, Clerk of the Chancery Court of said county, certify the within instrument of writing was received here for record on the 28 day of February A. D. 1949 at 10 o'clock A. M., and has been duly recorded by me in Land Deed Book 86 Page 151.

Given under my hand and official seal at office in Corinth, Miss., this March 3, 1949.

H. J. Madden Clerk

V. A. HAMPTON

POWER OF ATTORNEY TO:

GEORGE P. CHAMBERS
124 Melrose Drive
Chattanooga 4, Tennessee
January 10, 1948

To whom it may concern:

This is to confer upon George P. Chambers of P. O. Box 411, Corinth, Alcorn County, Mississippi the power of attorney to act in my stead for the purpose of bargaining, selling, signing, sealing, and delivering all or any part of property or any interest in property which I possess in Block 3 of The Tyrone Heights Addition to the City of Corinth, Alcorn County, Mississippi.

Respectfully,


V. A. Hampton
V. A. Hampton

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Presbytery of South Louisiana, and any persons in active concert or participation with it, on its behalf or in its stead, shall not take any action that may affect the property rights of the First Presbyterian Church of the City of Baton Rouge, including but not limited to: 1) filing any documents in the mortgage and conveyance records that place a cloud on title to the Property, 2) initiating any disciplinary action against the ministers or governing body of First Presbyterian Church of the City of Baton Rouge in respect of any issue raised in, prompted by or related to this litigation; 3) appointing, or initiating processes leading to the appointment of an administrative commission to assert original jurisdiction over the First Presbyterian Church of the City of Baton Rouge to correct difficulties or dissolve a pastoral relationship in respect of matters raised in, prompted by or related to this litigation, or 4) otherwise making any claim with respect to Property held by, for or in the name of the First Presbyterian Church of the City of Baton Rouge, which claims to its Property are fully adjudicated herein, as reflected by this Stipulated Final Judgment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, not less than thirty (30) days prior to the Presbytery of South Louisiana taking any action to discipline any minister or member of First Presbyterian Church of the City of Baton Rouge or appointing an administrative commission to assert original jurisdiction over First Presbyterian Church of the City of Baton Rouge, the Presbytery of South Louisiana shall give written notice to counsel for First Presbyterian Church of the City of Baton Rouge of its intent thereof, setting forth the grounds for such action in reasonable detail, and in the event of any dispute as to whether the proposed action is subject to or barred by the terms of this Stipulated Final Judgment, First Presbyterian Church of the City of Baton Rouge may, prior to the expiration of thirty (30) days from receipt of said notice, seek clarification or modification of the scope of this Stipulated Final Judgment from the Court, in which case the Presbytery of South Louisiana shall refrain from such action pending a determination by the Court as to the scope of this Stipulated Final Judgment.

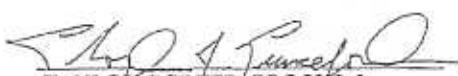
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Stipulated Final Judgment is entered in accordance with La. C.C.P. Art. 2085 and that no appeal may be taken herefrom.

JUDGMENT RENDERED AND SIGNED in chambers this 6th day of NOVEMBER, 2006, in Baton Rouge, Louisiana.

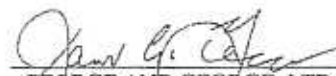


JUDGE, 19th JUDICIAL DISTRICT COURT


Respectfully submitted,

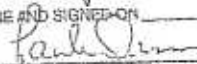


TAYLOR, PORTER, BROOKS &
PHILLIPS, L.P.
Lloyd J. Luncéford (#8439)
Brett P. Furr (#17572)
Eugene R. Groves (#6358)
P.O. Box 247
Baton Rouge, LA 70821
Telephone: (225) 387-3221
Facsimile: (225) 346-8049
ATTORNEYS FOR FIRST
PRESBYTERIAN CHURCH
OF THE CITY OF BATON ROUGE



GEORGE AND GEORGE, LTD.
James A. George (#6019)
396 Shady Lake Parkway
Baton Rouge, LA 70810
Telephone: (225)
Facsimile: (225)
ATTORNEY FOR THE PRESBYTERY OF
SOUTH LOUISIANA (PCUSA)


BELL
BELL
BELL

I HEREBY CERTIFY THAT ON THIS DAY A COPY OF
THE WRITTEN REASONS FOR JUDGMENT /
JUDGMENT / ORDER / WAS MAILED BY ME, WITH
SUFFICIENT POSTAGE AFFIXED TO:
L. Luncéford, J. Groves
DONE AND SIGNED ON 11-9-06


DEPUTY CLERK OF COURT

CERTIFIED
TRUE COPY
NOV 09 2006

DEPUTY CLERK

NINETEENTH JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

THE FIRST PRESBYTERIAN CHURCH
OF THE CITY OF BATON ROUGE

NO: 547025

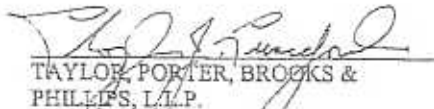
SECTION: 22

VERSUS

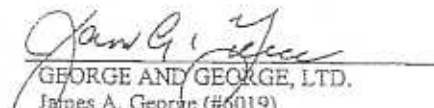
THE PRESBYTERY OF SOUTH LOUISIANA JOINT MOTION FOR THE ENTRY OF
A STIPULATED FINAL JUDGMENT

NOW INTO COURT, comes the plaintiff, The First Presbyterian Church of the City of
Baton Rouge, and the defendant, The Presbytery of South Louisiana, who jointly move for the
entry of a Stipulated Final Judgment, submitted herewith and attached hereto.

Respectfully submitted,


TAYLOR, PORTER, BROOKS &
PHILLIPS, L.L.P.

Lloyd J. Luceford (#8439)
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ATTORNEY FOR THE PRESBYTERY OF
SOUTH LOUISIANA (PCUSA)

ORIG 778 SNL 11894

FILED AND RECORDED
EAST BATON ROUGE PARISH, LA.

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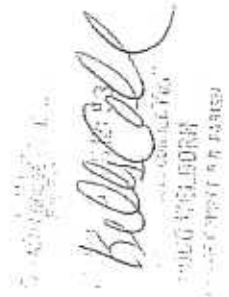
DOUG WELBORN

CLERK OF COURT & RECORDER

CERTIFIED TRUE COPY

BY

DEPUTY CLERK & RECORDER


DOUG WELBORN
CLERK OF COURT & RECORDER
EAST BATON ROUGE PARISH, LA.

CERTIFIED
TRUE COPY

NOV 08 2006

BY 
DEPUTY CLERK

I. Purpose of this Statement of Policy

The Presbytery of Mississippi desires to retain all of its congregations as sister churches based on our organic spiritual unity found in the grace of the Lord Jesus Christ, the love of God, and the fellowship of the Holy Spirit. Our unity rests in Christ, not in real estate. Quoting Isaiah 66:1-2, Stephen admonished his critics, "Yet the Most High does not dwell in houses made with hands" (Acts 7:48). It has ever been thus in Israel and in this Presbytery. Property should neither hold us together nor pull us apart.

Matters concerning property within the bounds of the Presbytery of Mississippi would be largely academic, were it not for current events in the Presbyterian Church (U.S.A.). In April of 2006, the Trustees of Eastern Oklahoma Presbytery filed an affidavit placing a claim on all the real property belonging to congregations within the bounds of that presbytery. This was a strategy recommended in a paper entitled "Church Property Disputes" which was produced for the Stated Clerk of the General Assembly. Many congregations throughout the Presbyterian Church thus believe they have reason to fear coercive action by their presbyteries.

The First Presbyterian Church of Baton Rouge, for example, has asked the courts of Louisiana to issue a declaratory judgment that the congregation alone owns its property, and the Presbytery of South Louisiana has concurred with that request.

It is solely to allay such fears that the Presbytery reiterates and reaffirms its historic stand with respect to property issues. The Presbytery offers this Statement of Policy to its particular churches as the definitive statement on how this Presbytery interprets and intends to enforce the Book of Order with respect to real property.

II. Policy Statement

The Presbytery of Mississippi hereby:

1. Desires all its particular churches to remain in fellowship with each other under the jurisdiction of the Presbytery;
2. Resolves that pure preaching of the gospel and right administration of the sacraments are constitutive of the church, that our unity, purpose, and mission are found in Jesus Christ and nowhere else, and that decisions affecting ownership of property are subordinate to, and should support, our spiritual unity in Christ;
3. Resolves that the Great Ends of the Church found in G-1.0200 summarize the mission of this Presbytery and explain the purpose for the existence of the Presbyterian Church (U.S.A.);
4. Resolves that whenever particular churches of this Presbytery pursue the Great Ends of the Church they are in fact using their property for the benefit of this Presbytery and of the Presbyterian Church (U.S.A.);

EXHIBIT "D"

5. Trusts its particular churches to make their own decisions concerning how best to use their property to accomplish the Great Ends of the Church;
6. Resolves that property has not been, is not, and shall not be a basis for our unity or an opportunity for division among us;
7. Recognizes that many of its particular churches believe they hold clear title to their own property;
8. Recognizes all its particular churches as having the ability to sell, lease, mortgage, or otherwise encumber any of their real property without further written permission of the Presbytery;
9. Recognizes all its particular churches as having the ability to acquire real property subject to an encumbrance or condition without further written permission of the Presbytery;
10. Resolves that it shall take no action to enforce any general trust interest claimed by any higher governing body against any property, real or personal, held by any of its particular churches while they remain under its jurisdiction;
11. Resolves that it will not resist any particular church of the Presbytery of Mississippi which would ask the courts of the State of Mississippi to clear its property of any claims made by higher governing bodies against that property; and
12. Resolves that nothing contained within this policy statement shall abrogate the authority and responsibility of Presbytery under sections G-8.0401 and G-8.0601 of the Book of Order; and
13. Orders that these statements be transmitted through the sessions of all the particular churches of the Presbytery.

III. Theological Reflection and Rationale

1. The Church is founded by Jesus Christ and should embrace his methods and his values. The Holy Spirit is building the church "upon the foundation of the apostles and prophets, Christ Jesus himself being the cornerstone" (Ephesians 2:20). Jesus established the church by calling and gathering the apostles to himself. He trained, taught, and commissioned them to preach, teach, make disciples, baptize, and celebrate the Lord's Supper with the risen Lord. Our Book of Order recognizes that it is Christ who calls the Church into being, giving it all that is necessary for its mission, edification, and service.
2. Jesus did not call or train the church to deal with real property. When we turn to what Jesus had to say, this is what we find: When a man asked Jesus to settle an estate with his brother, Jesus replied:

"Man, who has made me a judge or divider over you" (Luke 12:14)? Jesus refused to get involved with the property issue. Instead, Jesus used this occasion to warn people not to covet and place one's trust in larger barns.

When the sons of Zebedee were vying for power, Jesus said, "You know that those who are supposed to rule over the Gentiles lord it over them, and their great men exercise authority over them. But it shall not be so among you" (Mark 10:42-44).

"Foxes have holes, and birds of the air have nests; but the Son of man has nowhere to lay his head" (Matthew 8:20).

3. The Goal of the Church is not ownership but discipleship. "It belongs to Christ alone to rule, to teach, to call, and to use the Church as he wills, exercising his authority by the ministry of women and men for the establishment and extension of his kingdom" (G-1.0100(b)). Thus, the goal of the church is not to acquire, own, manage, buy, or sell real property.

The goal of the church is to extend Christ's reign on earth.

4. According to John Calvin, the marks of the church are the preaching of the gospel and the right administration of the Sacraments. Real estate is not and never has been one of the marks of the church. In the early church, congregations did not own real estate. People met in houses, often in secret. Our Book of Order and its historic principles of Church Government are derived from the example of the apostles and the practice of the primitive Church. This includes their attitude towards property.

5. The church is called to exercise spiritual discipline, not worldly power. St. Paul cautions the church at Corinth: The weapons of our warfare are not worldly [physical] but spiritual (2 Cor. 10:4). In the Institutes of the Christian Religion John Calvin carefully describes the spiritual character of ecclesiastical jurisdiction. The spiritual power of the church-to resist offenses and eliminate scandal-should be "completely separated from the right of the sword" (Institutes IV.xi.5). The church does not exercise "power through fines or prisons or other civil penalties," but through the power of the Word. This power is exercised by preaching, admonishing and use of "the final thunderbolt:" excommunication (Institutes IV.xi.5).

Calvin thundered against the church's attempt to usurp and wield civil power. He cites with approval Ambrose's statement: "To the emperor belong the palaces; to the priest the churches" (Institutes IV.xi.8). He also cites Bernard, who admonished Pope Eugenius to refrain from making decisions regarding property: "What seems the greater honor to you: to forgive sins or to divide estates? There is no comparison. These base and earthly things have their own judges, the kings, and princes of the earth. Why do you invade another's border?" He again cites Bernard: "This is the form of apostleship: lordship is forbidden; ministry is bidden" (Institutes IV.xi.11).

Calvin also recalls a time, under Pope Gregory, when priests and bishops confiscated land. "Gregory then called a council of bishops together, inveighed stoutly against that profane custom, and asked whether they would anathematize the cleric who tried to occupy some possession by inscribing a title on his own initiative; similarly, a bishop who either ordered it done or let it go unpunished. All declared, 'Anathema'" (Institutes IV.xi.14).

6. The Church should always operate out of love and fairness, so as to build up and not injure the faith of its members. Calvin discusses the fact that the church's rule-making authority is subject always to the requirement that it not violate love. The church in Jerusalem decreed that the Gentile Christians should observe certain dietary laws, etc., (Acts 15:20). Calvin comments: "This is no new law laid down by the apostles, but the divine and eternal command of God not to violate love" (Institutes IV.x.21). Calvin concedes that constitutions are necessary to keep peace and order, but they must be "founded upon God's authority, drawn from Scripture, and, therefore, wholly divine" (Institutes IV.x.30). When Jesus is silent on a point, the church may impose rules for order and decorum, but they should be tested by the law of love. "But love will best judge what may hurt or edify; and if we let love be our guide, all will be safe" (Institutes IV.x.30). "[W]e are mutually bound, one to another, to nourish mutual love" (Institutes IV.x.31).

7. In applying the law of love, the Presbytery should honor local custom.

"Nevertheless, the established custom of the region, or humanity itself and the rule of modesty, dictate what is to be done or avoided in these matters" (Institutes IV.x.31).

8. In accordance with the mission of the church – to extend the reign of Christ in the world by pursuing the Great Ends of the Church – decisions by the church should be made with a view to the up-building of the witness of the local congregation. Fighting over title to real property damages faith and destroys the witness of the church.

9. In Mississippi, land and identity are deeply intertwined. This Presbytery has always regarded real property as part of the local congregation's core identity. During the 1970s, a number of congregations in Mississippi elected to withdraw and join other Reformed denominations.

These were difficult and heartbreaking decisions. Some of the decisions to leave were fueled by anxiety over what would become of the church property if they remained with the denomination. Many of the congregations who chose to remain in the PCUS believe that, when they exercised the exemption clause provided in G-8.0701, they retained their property free of any denominational claims. Feelings about ownership of real property run very deep in this Presbytery and we have learned, by hard experience, to err on the side of grace in dealing with such matters.

10. For the past twenty years, it has been the policy of this Presbytery not to use real property as a weapon or bargaining chip. Although the Presbytery has an encouraging

role to play, especially in the formation of new congregations, it continues to be the responsibility of the congregations themselves to pay for their buildings and to maintain them, in order that the mission of the Church might be carried out in particular places.

11. This statement is in no way intended to abrogate the Presbytery's role in determining what happens to the property of a congregation which is dissolved or in schism or which seeks to be dismissed from the Presbyterian Church, (U.S.A.). Instead, this statement seeks to reassure all the particular congregations of the Presbytery of Mississippi that, while they remain in fellowship with us, their property is safe for them to use and develop as they see fit.

12. This statement is an attempt to be faithful to the Constitution of the Presbyterian Church (U.S.A.). Because of incomplete records, the Presbytery has long assumed that all its congregations that were formerly members of the PCUS did exercise the clause in G-8.0701 that allowed them to be exempt from needing the permission required in G-8.0501 and 0502. G-8.0501 does not stipulate that the permission given to particular churches to sell, mortgage, or encumber real property, or to buy property subject to encumbrances or conditions, must be done on a case-by-case basis.

Likewise, there is no stipulation in G-8.0502 that permission to lease property must be given on a case-by-case basis. By granting the permission required in G-8.0501 and 0502 to all its particular churches, the Presbytery thus seeks to treat all of them equally and fairly.

13. Although this Presbytery can build a culture of trust within its bounds, it cannot act on behalf of higher governing bodies. It is possible that, while the Presbytery calls for love and justice to be demonstrated where it comes to congregational property, higher governing bodies may continue to claim ownership of the property belonging to the congregations of the Presbytery. Only the courts of the state of Mississippi can make final determinations concerning the validity of such claims. As a matter of pursuing the love and justice of Jesus Christ, the Presbytery of Mississippi will not interfere with any of its particular churches which desire to act to clear their titles of any claims made on them by the higher governing bodies of the Presbyterian Church (U.S.A.).

IV. Conclusion

In making this statement, the Presbytery expresses its trust in its congregations, and earnestly desires that its congregations would trust that this Presbytery will do nothing detrimental to the health or strength of any of its particular churches. We take this position in compliance with the Book of Order, and solely for the furtherance of the great ends of the church. It is our belief that, in this place and at this time, the mercy and grace of Jesus Christ is best demonstrated by avoiding conflict over property issues. This is not a new position for our Presbytery. It is how we have handled such matters in the past, and how we intend to continue to deal with them as we move forward.

December 19, 1948

The officers of the church met at the church. Present were Rev. J. M. Gregory, Moderator; Elders Hal Andersen, J. R. Barkley, J. G. Bridges, J. D. Biggers, Frank Hill, P. T. Jones, R. R. Hill, W. G. Kimmons, and Ely B. Mitchell; Deacons Hal Anderson, Jr., R. W. Adams, Frank Bryant, Paul Grey, James Moore, Ellis Perry, H. O. Russell, and A. H. Taylor, Jr.

The report of the Committee appointed to select a suitable place for the location of the church made its report and the same was approved by the Session. A Committee composed of Raymond Biggers, J. R. Barkley, P. T. Jones and Ely B. Mitchell was appointed to appear before the Mayor and Board of Aldermen of the City of Corinth to get the city to make a quitclaim deed to a fourteen-foot strip running through the Center of Block 3, Tyrone Heights Addition to the City of Corinth.

It was moved, seconded, and carried that a congregational meeting be called to meet on the 2nd ~~Sunday~~ of January, 1949, immediately after the morning service in the church.

The meeting was opened and closed with prayer.

Moderator
Ely B. Mitchell
Clerk

January 2, 1949

The session met at the church on January 2, 1949, when the following were present: Rev. J. M. Gregory, Moderator; Elders J. D. Biggers, E. M. Byrnes, R. R. Hill, P. T. Jones, J. C. Jones, and Ely B. Mitchell.

It was moved, seconded, and carried that the committee make their report to the church congregation for approval or rejection.

Richard Penney III was given the ordinance of baptism.

The meeting was opened and closed with prayer.

Moderator
Ely B. Mitchell
Clerk

EXHIBIT "E"

January 9, 1949

The Session met at the church at the morning service hour. Present Rev. James M. Gregory Moderator, Elders J. D. Biggers, J. G. Bridges, R. R. Hill, Frank Hill, P. T. Jones, J. C. Jones, S. M. Nabors, and Ely B. Mitchell.

The meeting was opened with prayer. There was no business to come before the session, and the meeting was adjourned with prayer.

Moderator
Ely B. Mitchell
Clerk

January 9, 1949

The Session met in regular monthly business meeting following the evening service on January 9, 1949, when the following were present: Moderator Jas. M. Gregory, Elders Hal Anderson, J. R. Barkley, R. R. Hill, Frank Hill, P. T. Jones, J. C. Jones, W. G. Kimmons, and Ely B. Mitchell, and J. G. Bridges.

It was moved, seconded, and carried that when no business comes before the regular weekly meetings of the Session held on Sunday mornings, that the Clerk need not write up minutes for such meetings.

It was moved, seconded, and carried that Mrs. Richard T. Gernert be elected temporary Director of Religious Education to take the place of Miss Eleanor Howard Jones, resigned.

It was moved, seconded, and carried that the Tithing Committee decide whether there will be a separate canvass made for this purpose or whether the same will be included in the annual Every Member Canvass of the church.

It was moved, seconded, and carried that Rev. James M. Gregory be given permission to attend the June Summer Conference at Belhaven College and to see if he can get Dr. Kinney of Southwestern to fill the pulpit in his absence.

It was moved, seconded and carried that evening services be not held, or that some layman fill the pulpit for the evening services during the absence of the pastor on

It was moved, seconded, and carried that Frank Hill be elected to represent the Session to act as Advisor to the Budget Committee.

It was moved, seconded, and carried that E. M. Byrnes be elected as Delegate and P. T. Jones as Alternate to represent this church at the meeting of Presbytery at Houston, Mississippi, on January 18, 1949.

Miss Eleanor Howard Jones has requested letter of dismissal from this church to the First Presbyterian Church of Holly Springs, Mississippi. Miss Virginia Ann Biggers

EXHIBIT "F"

First Presbyterian Church
Minutes of Session
February 5, 1984

The regular February meeting of the Session of the First Presbyterian Church was held at 7:00 o'clock P.M. on February 5, 1984.

The meeting was opened with a season of prayer.

The roll was established with the following Presbyters being present: Leroy Worsham, Bob Anderson, Hugh Murphy, Fred Vann, Chester Bissette, Carroll Hudson, Granville Atkins, Harrison Spear, Lon Taylor, Hank Worsham, Farmer Anderson, Wes Sentell, Joe Dixon, John Farley, Dr. J. D. Biggers, Orma R. Smith, Jr., Clerk, and R. Christy Morgan, Moderator.

(3) Mr. Fred Vann presented and read to the Session a resolution from the Second Presbyterian Church, which dealt with the issue of the exceptions granted by the Book of Order of the Presbyterian Church (USA), sub-section 7 and numbered G-.8.0701 which provides that where there are provisions in that chapter which are different from those in Chapter VI of the Book of Church Order of the Presbyterian Church (US), then any Church which was not subject to the similar provision of the Constitution of the Church of which it was a part prior to the reunion shall be excused from that provision of this chapter if the congregation shall, within a period of eight years following the establishment of the Presbyterian Church (USA), vote to be exempt from such in a regular called meeting and shall thereafter notify the Presbytery. Mr. Vann read this resolution solely for the information of the Session.

First Presbyterian Church
Minutes of Session
March 4, 1984

The regular March meeting of the Session of the First Presbyterian Church was held at 7:00 o'clock P.M. on March 4, 1984.

(4) Letter from Fred Vann Regarding the Exercising of the Option on Property as Provided for in the Book of Order. Mr. Vann next presented to the Session a proposed resolution to call a congregational meeting on the first Sunday of April, 1984 (April 1, 1984) to present a proposal to exercise an option on the real property of the church in order to come out from under the provisions of the new Book of Order and to be governed by the old Book of Church Order. This motion was seconded by Harrison Spear. Mr. Leroy Worsham spoke to the motion and moved that the motion be tabled in order that it can be determined whether or not the provisions of the old Book of Church Order would require that the property of the church be forfeited in the event the church withdrew from the Presbyterian Church (USA) rather than permitting the First Presbyterian Church of Corinth to withdraw from the Presbyterian Church (USA) and to take with it its property as is now provided for in the Book of Order. A motion to table was made and seconded, and upon being put to a vote, carried unanimously.

There next came on for consideration the matter of appointing Fred Vann and Farmer Anderson to discuss with the Second Presbyterian Church in Memphis the proposed resolution of Fred Vann and to determine whether or not it would have the effect as suggested by Leroy Worsham. This motion was seconded, and upon being put to a vote, carried unanimously; whereupon, Fred Vann and Farmer Anderson were asked to research this matter with the Second Presbyterian Church.

First Presbyterian Church
Minutes of the Session
April 1, 1984

The Session of the First Presbyterian Church met for its regular monthly meeting for the month of April, 1984, at 7:30 p.m. on Sunday, April 1, 1984.

The meeting was convened by a Season of Prayer.

The roll was established, and the following Presbyters were present, to-wit: Hugh Murphy, Granville Atkins, Wes Sentell, J. D. Biggers, Bob Anderson, J. Hal Anderson, Leroy Worsham, Bob O'Brien, Melvin McClamroch, Carroll Hudson, Lon Taylor, Fred Vann, Farmer F. Anderson, David Palmer, John Farley, Hank Worsham, R. Christy Morgan, Moderator, and Orma R. Smith, Jr., Clerk.

Excused absences were granted to Mr. Harrison Spear and to Mr. Chester Bissette.

(6) There next came on for consideration the report of the investigation being made with the Second Presbyterian Church on the resolution to elect to handle the real and personal property of our church under the Book of Church Order of the Presbyterian Church of the United States. It was noted that the report is not complete at this time. It was suggested that no action be taken until the report is final. On motion made, seconded and carried, this report was tabled for further consideration after the report is final.

As part of the consideration of this investigation, the Moderator asked Mr. Leroy Worsham to prepare a request to the General Assembly seeking an opinion on this question, that is, if the church elects by proper resolution adopted by the congregation to treat its property under the provisions of the Book of Order of the Presbyterian Church, U.S. rather than under the new Book of Order, does that then eliminate the option that the First Presbyterian Church of Corinth will have to withdraw from the Presbyterian Church, U.S.A. and carry with it the real and personal property.

Additional Business

(1) Report on Church Property, Chapter 6, Fred Vann. Mr. Vann reported that on April 16, 1984, he talked with Douglas Harper, Jr., Editor of The Open Letter, Houston, Texas, concerning the question that was brought up as to the ownership of our property, even if our congregation voted to act under the provisions of paragraph G-8.0701 in the Book of Order entitled "Exceptions", and then at some later date, the congregation voted to withdraw from the Presbyterian Church, U.S.A., as provided in Article XIII entitled "Procedures for Dismissal of a Congregation with its Property" of the Articles of Agreement.

Farmer Anderson also reported that after reading the Article and the editorial written by Dr. Harper that appeared in the November-December, 1983 edition and the March-April, 1984 edition of The Open Letter on church property of former PCUS congregations, that the two of them were of the opinion that Dr. Harper would be the most knowledgeable person they could contact to clarify the questions that the Session wanted answered. Dr. Harper is the senior pastor of the St. Andrew Presbyterian Church in Houston, Texas, and was quite active in working for the reunion.

Dr. Harper stated that paragraph G-8.0701 and Article XIII of the Articles of Agreement in the Book of Order are totally separate, and do not relate to each other in any way. He said that the two sections should not

even be discussed at the same meeting. Mr. Vann reported that he told Dr. Harper that since this question had arisen in our Session, that both the issues would have to be discussed at the same time.

Dr. Harper said that if the Congregation voted affirmatively on paragraph G-8,071, as his church had, and then at a later date voted affirmatively on Article XIII, complying with all the stipulations of this Article, then the congregation, in his opinion, would be dismissed with its property. The congregation, under the stipulation of Article XIII, cannot become an independent, but must go with another reformed body. Mr. Vann then stated that on February 8, 1984, he mailed to each elder of the Session and the moderator a Resolution that he felt the congregation should act upon regarding the option on property as provided for in the Book of Order. At the March 4, 1984 meeting of the Session, he moved that the Session ask for a congregational meeting for the purpose of the congregation voting on this Resolution. This motion was tabled because some members of the Session requested more information on the matter and requested Farmer Anderson and Fred Vann to try to get the additional information desired. The information furnished and reported on in this report is the result of their joint efforts to get for the Session the information that the Session requested. Mr. Vann then moved that the congregational meeting be called on June 3, 1984 following the morning church services for the purposes of the congregation voting on the Resolution as previously submitted to this Session, and that a copy of the Resolution be mailed to each family of the congregation at least two weeks prior to the congregational meeting. This motion was seconded by Farmer Anderson, and a full discussion followed. Mr. Leroy Worsham stated that he was of the opinion that Dr. Harper, Fred Vann and Farmer Anderson were exactly wrong, and that if the church elected to have its property treated as it was treated by the PCUS, that the property would remain the property of the Presbytery in the event the church elected to withdraw under Section XIII. Mr. Worsham had with him a proposal to make an overture to the General Assembly on this issue. Mr. J. Hal Anderson then moved to table the motion of Fred Vann until after the General Assembly responds to the overture proposed by Mr. Worsham on this issue. The motion to table was seconded by Hugh Murphy, and upon being put to a vote, the same carried by a majority vote.

Mr. Worsham then moved that the overture, which he proposed, be joined in by the Session as an overture to the General Assembly on this issue. After full consideration of this matter, on motion made by Sammy Smith and seconded by Dr. J. D. Biggers and carried by a majority vote, it was:

RESOLVED that the Session of the First Presbyterian Church of Corinth, Mississippi, join in the overture proposed to the General Assembly by Leroy Worsham, which overture is in essentially the following form, to-wit: (see insert).

OVERTURE
TO
GENERAL ASSEMBLY
PRESBYTERIAN CHURCH USA

WHEREAS,

The Book of Order, Presbyterian Church USA, Section G-8.0701 allows a particular church of the former Presbyterian Church in the United States voting to be exempt from the provisions of Chapter 8, entitled "The Church and its Property", to hold title to its property and exercise its privileges of incorporation and property ownership under the provisions of the Book of Church Order, Presbyterian Church in the United States, 1982-1983 Edition.

WHEREAS,

The Book of Church Order, Presbyterian Church in the United States, 1982-1983, Section 6-4 states that if a particular church attempts to withdraw from the Presbyterian Church any property that it may have shall be within the control of the Presbytery and may be held for designated purposes or sold or disposed of in such manner as the Presbytery, in its discretion, may direct.

WHEREAS,

Article 13, entitled "Procedures for Dismissal of a Congregation with its Property", of the Articles of Agreement between the Presbyterian Church in the United States and the United Presbyterian Church in the United States of America states that a particular church, following the guidelines stipulated, voting to be dismissed under the provision of Article 13, will retain all its property.

RESOLVED,

By voting to be exempt from Chapter 8, Book of Order, Presbyterian Church USA and reverting to property ownership under the provisions of the Book of Church Order, Section 6, specifically Section 6-4, which gives Presbytery control of all property, would this in any way deny a church of its property if the particular church would at a later date desire to exercise its right of withdrawal under Article 13.

EXPLANATION OF OVERTURE

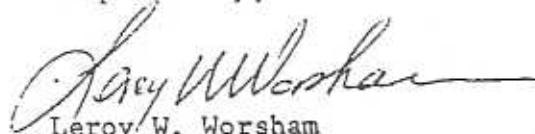
There is a serious doubt as to whether or not a church exercising its rights under Article 13 would be entitled to its property if prior to this it had voted to be exempt from Chapter 8 of the Presbyterian Church USA. By so voting to be exempt from Chapter 8 and reverting to the property ownership under the provisions of Chapter 6 of the Book of Church Order, PCUS, the church would automatically be under the restriction of Section 6-4 which specifically states that if a church attempts to withdraw, the church property would be under control of Presbytery.

It is hard to understand the rationale that a church voting to be governed as to its property by the provisions of Chapter 6, with full knowledge that Section 6-4 gives the church's property to Presbytery in case of withdrawal, then later voting to withdraw under the provisions of Article 13, expecting to keep its property. These two conditions are not consistent at all, but rather they contradict each other.

REQUEST,

That General Assembly interpret the Constitution to clarify the issue of property ownership of a particular church that has voted to be governed by the provisions of the Book of Church Order, Section 6, specifically Section 6-4, then later on votes to withdraw under Article 13 of the Articles of Agreement. Who would have control of the church property? The particular church or the Presbytery.

Respectfully,



Leroy W. Worsham
Elder
First Presbyterian Church
Corinth, Mississippi

The Session of the First Presbyterian Church of Corinth, Mississippi at its regular meeting on May 6, 1984 adopted the following resolution.

RESOLVED,

That the Session of the First Presbyterian Church of Corinth, Mississippi join in the Overture Proposed to the General Assembly by Leroy W. Worsham, thereby making the above Overture an Overture to the General Assembly of the Session of the First Presbyterian Church of Corinth, Mississippi.

This Overture is being forwarded to St. Andrew Presbytery for their approval or disapproval with the request that the Overture be forwarded to General Assembly in either event.



Orma R. Smith, Jr.
Clerk of the Session

First Presbyterian Church
Minutes of the Session
September 9, 1984

The Session of the First Presbyterian Church of Corinth, Mississippi, met for its regular monthly meeting on Sunday, September 9, 1984, at 7:30 p.m., the regular meeting scheduled for September 2, having been pretermitted to this time and place.

The meeting was opened with a Season of Prayer.

The roll was established with the following Presbyters being present: Farmer Anderson, Lon Taylor, Bob O'Brien, John Farley, Chester Bissette, Hugh Murphy, Hank Worsham, Granville Atkins, J. Hal Anderson, Bob Anderson, J. D. Biggers III, Carroll Hudson, Wes Sentell, Joe Dixon, Fred Vann, Harrison Spear, Leroy Worsham, Moderator Pro-Tem, and Orma R. Smith, Jr., Clerk of the Session.

(8) There next came on for consideration the matter of incorporating the church as a non-profit corporation as required by Paragraph G-7.0401. This was discussed in brief. Motion was made to table any further consideration and that motion was seconded and carried unanimously.

(9) There next was suggested that the church consider withdrawing from the Presbyterian Church U.S.A. This was discussed but no action was taken.

First Presbyterian Church
Minutes of Session and
Joint Meeting with Deacons
November 25, 1984

The joint meeting of the Session and Diaconate to consider the 1985 proposed budget was convened with prayer by Moderator Bernard Munger at 5 p.m., November 25, 1984, at the church.

Elder Lon Taylor presented the budget item by item and answered questions arising. Then each group held its separate meeting.

Attending the session meeting were Moderator Munger, Elders Lon Taylor, Harrison Spear, Bob O'Brien, Melvin McClamroch, Chester Bissette, Bob Anderson, Fred Vann, Carroll Hudson, Hugh Murphy, Farmer Anderson, Granville Atkins, John Farley, Leroy Worsham, Joe Dixon, Hal Anderson, and J. D. Biggers. Elders Smith and Sentell were excused.

Elder Hal Anderson spoke to the overture submitted to General Assembly requesting interpretation of the constitution concerning church property, saying he thinks the issue is settled by Article 13 which states that any church leaving the denomination within the 8 year period gets to keep its property. Others made comments. Elders Leroy Worsham, Fred Vann, Hal Anderson, and any other wishing to attend, were elected to represent us at the Dec. 5 hearing of the overture by Presbytery's Permanent Judicial Commission.

First Presbyterian Church
Minutes of the Session
January 6, 1985

The Session of the First Presbyterian Church, Corinth, Mississippi, met for its regular monthly meeting on January 6, 1985, at 7:00 o'clock p.m. at the church in the City of Corinth, Alcorn County, Mississippi. There were present and actively participating in the meeting the following Presbyters: Melvin McClamroch, Granville Atkins, Carroll Hudson, Frank Worsham, Jr., Hugh Murphy, Bob O'Brien, Harrison Spear, Lon Taylor, Sammy Kemp, Erst Long, Richard Milam, James Moore, John Farley, Farmer Anderson, J. D. Biggers III, Hal Anderson, David Palmer, Joe Dixon, Bernard Munger, Moderator, Orma R. Smith, Jr., Clerk of the Session.

Also present, as special invited guest, was Mr. Leroy Worsham.

As a further item of new business being taken out of order, Mr. Leroy Worsham advised the Session that Hal Anderson, Fred Vann and he had met with the Permanent Judicial Commission of Presbytery on the property overture to the General Assembly. They suggested that the Session drop the overture and write a letter to the Advisory Committee on Constitution of the General Assembly for clarification of the question. If we proceed with the overture, the Presbytery Judicial Commission will forward it to Presbytery with no recommendation. Hal said the overture would cost \$5,000.00 and prefers that we write the letter. Leroy prefers that we go ahead with the overture. After full discussion of this matter, on motion made by John Farley, seconded by Bob O'Brien and unanimously carried, it was:

RESOLVED that the Session of First Presbyterian Church of Corinth, Mississippi, does hereby elect to keep the overture before the Presbytery of St. Andrew and expects it to be on the docket at the next meeting, being the second Tuesday in February, 1985.

First Presbyterian Church
Minutes of the Session
March 12, 1985

The Session of the First Presbyterian Church of Corinth, Mississippi, met for its regular stated March meeting at 7:00 p.m. on Tuesday, March 12, 1985, being the time and place now designated for the stated monthly meeting.

The following Presbyters were present: Hugh Murphy, Farmer F. Anderson, Lon Taylor, Sammy Kemp, Granville Atkins, Frank Worsham, Jr., Melvin McClamroch, Dr. J. D. Biggers III, Robert O'Brien, Fred Vann, Carroll Hudson, Erst Long, John Farley, Harrison Spear. There were also present Dr. Bernard Munger, Moderator, and Orma R. Smith, Jr., Clerk.

(4) Dr. Munger reported on the meeting of the Presbytery on February 19, 1985. He reported that Leroy Worsham was asked to speak to the overture of this church. Mr. Morton McMillan defended the action of the committee in not letting this proposal go to the General Assembly on the basis that it was not a true overture. The overture was then modified and it was agreed that it will be presented to the next meeting of the General Assembly as an overture from the Presbytery of St. Andrew.