

Chapman Alexander
 Augustus Shepherd
 Horwood Capps
 Frederick Jervis
 Henry Sturtevant, as trustees
 of the Second Baptist Church of
 the city of Raleigh, - and
 The Second Baptist Church
 of the city of Raleigh

Plaintiffs

Against

Gideon Perry
 William Williams
 Joel Evans
 Edward Jones
 Hardy Cross
 Abram Nichols

Defendants

- Chapman Alexander, being duly sworn deposes
1. That he is one of the Plaintiffs above named.
 2. That a summons has been issued in the above entitled action from the Superior Court of the County of Wake, returnable to the Fall Term thereof, of which Exhibit "A" attached hereto is a true and faithful copy.
 3. That on the 17th of February 1866. Judges Bobbitt, Merritt Williams, Gideon Perry, Beverly

Stannard, H. M. Supper, Matilda Jellack
Susan Stannard, and Sarah B. Supper, met
in the city of Raleigh and organized a religious
society, according to the customs, usages
and rules of the Baptist denomination under
the name and style of the Second Baptist
Church of the city of Raleigh.

4. - That at said organization, Rev. Henry M.
Supper, was elected pastor of said church
and it was voted that the said church should
have five trustees, and at said meeting
Bevelly Stannard and Merrel Williams
were elected, as two of said trustees and at
an adjourned meeting held on the 10th March
1866, Gideon Perry, Frederick Gunn and Abram
Nichols, were elected as the remainder of said
trustees. -

5. - That in July 1866, the said Frederick Gunn
died, and at a meeting of said church held
on the 20th of said last named month, Merrel
Williams was elected a trustee in the place of
said Gunn deceased. -

6. - That on the 15th of June 1867, at a regular
meeting of said church Merrel Williams was
excluded from the communion for gross
immorality and on the 20 day of the said
month by vote of said church Robert Hinton
was duly elected a trustee in his stead and
stead. -

7. - That on the 10th of November 1867, at a regular meeting of said Church, the said Gideon Perry was by vote of said Church duly excluded from its membership and communion and on the 27th of the same month Chapman Alexander, was duly elected a trustee of said Church in the place and stead of said Gideon Perry.
8. - That on the 25th of January 1868, by vote of said Church, Abram Nichols, was removed from his trusteeship of said Church, by reason of immorality, and William Taylor was duly elected as trustee in his place and stead. -
9. - That on the 28 of December 1869, the board of Trustees heretofore acting were removed from office as such trustees by vote of said Church and Chapman Alexander, Joel Evans, Robert Binton, Hardy Cross and Edward Jones, were by vote of said Church elected as Trustees of said Church and the Calvary Institute.
10. - That at a meeting of said Church on the 1st day of January 1871, Edward Jones was duly excluded from the membership and communion of said Church.
11. - That on the 20th of April 1871, at a meeting of said Church Robert Binton was duly excluded from the membership and communion of said Church. -

- 12.- That there was no further change made in said Board of Trustees, until the 21st of October 1872
- 13.- That upon the organization of said church on the 17th day of February 1866. Merrill William and Beverly Stannard were duly elected deacons of said church, and they or their duly elected successors continued in office until the 21st of August 1872, immediately before which time, Joel Evans and Jack Jartro were acting deacons of said church.
- 14.- That upon the 1st day of January 1879, it was ordered by a vote of said church, that all persons who should fail to re-enum their names as members of said church on or before the 1st day of April of said year, should be excluded from the same, if living in the city of Raleigh or its vicinity.
- 15.- That on the 13th of September 1868, there united with the said church by baptism some thirty persons, living in the neighborhood of Whitaker's plantation about six miles south of Raleigh, who with others in the same vicinity, who from time to time joined the said church, in said vicinity, formed a congregation, which was known as the South Branch of said Deacons Baptist Church of the city of Raleigh.

- 16- That on the third Sunday in January 1872 the said congregation known as the South Branch of said second Baptist Church organized as an independent church under the name and style of the Piney Grove Baptist, with Essex Blake as its first Pastor. -
- 17- That in accordance with the vote of the church mentioned in paragraph 14. of this affidavit 82 of the former members of the said church, re-enrolled their names as such members as will more fully appear, as well as the names of said parties from the Exhibit hereto annexed and marked "B". - which is a correct transcript from the official church book and there with the exception of the three last named who were excluded before that time, constituted the membership of the said Second Baptist Church of the city of Raleigh until the said 21st of October 1872
- 18- That the said Wm. B. Supper having been employed in conducting a school for colored people, as Agent of the American Baptist Home Mission Society, from January 1st 1866 and having been mainly instrumental, in the organization of the Church was chosen as its first pastor and continued to act as such until the spring of 1872, without assistance. That for such services, both as pastor and teacher the said W. B. Supper, received no salary.

or compensation from said Church or congregation, nor from those attending the school with the exception of \$87.00 paid to him by said church in 1867, - nor did he receive any gifts or donations in lieu of such salary, but served without reward or hire.

19. - That in the spring of 1872, the said Church called the Rev Augustus Shepherd to act as assistant Pastor, by reason of the fact that the duties of their pastor Mr Supper as the President of Shaw University, had become so onerous, as to prevent his attending to the active duties of the Pastorate, and from that time forward, the active duties of said Pastorate have been discharged by the said Augustus Shepherd. —

20. - That in the fall of 1865, the said Rev. Henry M. Supper, as Agent of the American Baptist Home Missionary Society, arrived in the city of Raleigh to conduct a mission on behalf of said Society, among the colored people of said vicinity, and in the spring of 1866 as the Agent of said society, he determined to commence the erection of a building to accommodate the school under his supervision as such agent.

21. - That thereupon, the said Supper purchased the lot known as No 31, in the plan of the city of Raleigh, situated at the corner of Cabarr-

rus and Blunt Sts in said city;

22.- That on the 31st of March 1866, the said church voted to purchase said lot of said Feejus at the price of \$500, the amount which said Feejus had paid for the same, therefore for the purpose of erecting thereon a church edifice for the use of said Society, giving the said Feejus five notes of \$100, each payable in five consecutive years after Nov 4. 1867

23.- That up to the 30th of December, two of said notes had been paid off and the sum of Twenty one dollars endorsed on the third. -

24.- That in the spring of 1866, they began the erection of a church edifice, on said lot and erected a building 54 by 84 making it temporarily one story high with a board roof. Said building cost about \$400, of which the said Henry M. Feejus, as agent for the American Baptist Home Mission Society, obtained from the friends of education and improvement among the colored people at the North more than \$100, which was put by him into said building as agent for the said Home Mission, on its account and to the credit of said Society. -

25.- That afterwards there was a second story put upon said building making the cost of the same when completed about \$600. That of this amount the said Henry M. Feejus, as the agent

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of the said Baptist Home Mission Society, put
in to the credit and for the use and benefit
of said society about \$3000, with the understand-
ing and agreement between him as said
Agent and said Church and congregation
that one story of said Church edifice
should be devoted to the use of said society
for school purposes.

26.- That on the 30th of December 1867 it was
arranged and agreed between the parties, in
order to obtain aid in the completion of said
edifice from the Educational Department
of the Freedman's Bureau, that the notes given
by the Trustees and remaining unpaid should
be surrendered and a deed in simple should
be made to the individual, then acting as the
Trustees of said Church in the double capac-
ity of Trustees of said Church and Trustees
of Raleigh Institute.

27.- That the Raleigh Institute, was the name
and style of an Institution of learning which
had been conducted by the said Hopper
under the auspices and as the agent of the
said American Baptist Home Mission Society
in said Church edifice from its erection,
said school consisting on an average
of about two hundred colored pupils. —

28.- That thereafter a lease was executed or attempt-
ed to be executed by said Trustees to said

H. M. Tupper, of the lower story of said church edifice for the purpose of conducting a school therein, under the auspices of said Home Mission Society for the term of nine hundred and ninety-nine years. —

29- That afterwards in the year 1870, the said American Baptist Home Mission Society established in the city of Raleigh the Shaw University for the education of colored pupils, and the said Raleigh University Institute was merged with the said University and was thereupon discontinued and abandoned as a separate institution of learning

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