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News Service of the Southern Baptist Convention

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August 17, 1982

82-118

## Judge Orders 'Non-Cooperating' Church To Return Property To State Convention

WINCHESTER, Tenn. (BP)--A Franklin county judge has ruled the property of Bethel Baptist Church, Estill Springs, Tenn., should revert to the Executive Board of the Tennessee Baptist Convention because of the church's "breach of the trust."

Chancellor Earl H. Henley of the Franklin County Chancery Court issued his memorandum opinion Aug. 5 to settle a 1981 lawsuit concerning the property of the church (formerly Paynes Baptist Church). The lawsuit, which was heard July 29-30, 1981, was brought by members and former members of the church, charging that the present congregation does not fulfill a provision of the deed which requires the church "to adhere to, maintain, and propagate the doctrines, faith and practices of Missionary Baptist churches to cooperate with the local Baptist Association, Tennessee Baptist Convention and Southern Baptist Convention."

The deed and original bylaws of the church contain a reversionary clause that if the church ceases to fulfill this condition the property will go to the group of members who do or will revert to the TBC Executive Board "to be used for church or mission purposes."

The Executive Board voted on Dec. 12, 1980, to respond to a request for support from the group which sought to regain the property and was also a plaintiff in the lawsuit.

At the July 1981 trial Henley repeatedly stated the case would be decided on the basis of legal documents, rather than doctrine or the exercise of religion.

Testimony revolved around what is necessary to be a "cooperating Southern Baptist church." The plaintiffs noted that the church had made no contributions to the association or any TBC or SBC cause since 1978, nor had any member attended any meeting or conference conducted by these groups. The defendants argued that these contributions or activities are not necessary to be considered a "Southern Baptist church."

At the conclusion of testimony Henley stated he considered the case to be precedent-setting and desired to take adequate time to study it before rendering his decision.

In his Aug. 5 memorandum opinion Henley wrote, "The record clearly shows that no effort was made to cooperate with either of the conventions."

He added, "It is true the proof reveals it is not specifically necessary that a financial contribution be made in order to be a member in good standing of the Tennessee or Southern Baptist Conventions. It is not necessary that the literature be used; and, it is not necessary that messengers be sent in order to be a member in good standing; but, when the Court reviews the activities of Bethel church and listens to the proof of the Baptist conventions as to their requirements this court unequivocally rules that there is a breach of the trust and the property is subject to reversion."

Henley concluded, "Rather than place the property into the hands of the minority members who are not presently participating in the church's activities due to a conflict in doctrinal belief, the court is of the opinion that it would be wiser to adhere to the alternate prayer and allow the property to revert to the Executive Board of the Tennessee Baptist Convention."

The attorney for the plaintiff will prepare an order to implement the provisions of the memorandum order and submit it to the Chancery Court. If Henley approves, he will file this with the County Clerk and Master's Office. The defendants will have 30 days to file an appeal after the documents are sent to the Clerk and Master's Office.

In 1963 First Baptist Church of Estill Springs, which was the sponsor of the new mission chapel in the Paynes community, and Duck River Baptist Association requested financial assistance from the executive board in purchasing property for the Paynes congregation. The board granted \$1,500 and also provided financial aid for the church's pastor for four years.

In response to the court's ruling, TBC Executive Secretary Tom Madden said, "if and when the title is transferred to the executive board, I am confident the board will follow the provisions of the deed that the property be used 'for church and mission purposes.' Our only concern is to see the property used by a cooperating Southern Baptist Church."

Reverter clauses are common across the Southern Baptist Convention but are not universally welcomed by convention employees who must deal with them. Several church bond specialists in both state conventions and with the Home Mission Board, when contacted by Baptist Press, said the inclusion of a reverter clause creates a lien on the church's property that makes securing later loans very difficult.

Some state conventions will no longer use reverter clauses, others look at each church on a case-by-case basis and the Home Mission Board has rewritten its reverter clause for its church loans.

The question of ownership of church property may be uncommon in Southern Baptist circles but it is not unheard of. Approximately 25 years ago a Southern Baptist church in North Carolina voted to become independent but a court ruled that the church's constitution required the church be a "Southern Baptist" church and the property was returned to the North Carolina convention.

In the early 1960's the Missouri Baptist Convention's right to the property of a church seeking to leave the convention was held valid and in the early 1970's an attempt by a pastor to lead a mission sponsored by an SBC church out of the convention was blocked. The property remained in the hands of the Home Mission Board but the HMB had to pay the independent group several thousand dollars difference between the loan balance and the value of the property.

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Jesus Didn't Talk About His Friends  
Baptist Missionary Tells WMU Group

By Jerilyn Armstrong

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WACO, Texas (BP)--Defending the Bible is not a Christian's purpose, the Sam Cannatas shared during the Texas Woman's Missionary Union Leadership Conference (Houseparty) last week. "If this is the inerrant, infallible Word of God then he doesn't need us to defend it," Cannata said.

Ginny Cannata added, "God's word will stand. I believe God wants us to believe his word and teach it to other people and stop defending it."

Returning to Texas for furlough after two-and-one-half years in the Sudan, Ginny told the more than 2,900 women attending the meeting that their return to the United States had been a sobering experience. "We came home to tell and share the exuberant and the great things happening in the Sudan and people really didn't want to hear. Instead all they were interested in was which side we were on or which issue we supported. We have been very, very sad indeed."

While attending Foreign Mission Week earlier this summer at Glorieta, N.M., Ginny said she and Sam had been questioned about their beliefs and political leanings in the convention. "We began hearing critical words from friends about other friends and vindictive and degrading words about people we have loved for years. We saw much anger as people talked to us and heard over and over again, 'it's really bad in our convention, maybe our convention is even going to split,' and our spirits were dampened," she said.

The Cannatas stated in the 24 years they have been missionaries they have taught the people that their God is a God of order and not discord, a God of love and not hat .

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"It is then very discouraging to return to our home and find discord in our convention and people talking about one another," Ginny said. "God tells us in his Word that he is molding us into the image of his Son, Jesus. And as I read the Bible I don't see Jesus talking about his friends and others in the manner I hear people discussing one another these days."

"I believe God wants us to be like Jesus, to show love and compassion to our fellow men—to be busy about making disciples," she said.

The Cannatas have previously worked as medical missionaries in Rhodesia, Kenya and Ethiopia. In the spring of 1977 while in Ethiopia, the communists entered the country and the Cannata's home was searched, resulting in Sam Cannata's imprisonment for 16 days. Following that experience the Cannatas returned to the United States and wrote the book, Truth On Trial.

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Fair-Bound Houston Youth  
Drowns At Nashville Motel

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NASHVILLE, Tenn. (BP)--Eric Hancock, 17, an active member of Brentwood Baptist Church in Houston, Texas, drowned in a Nashville motel swimming pool Aug. 13. He was part of a youth group that was enroute to the World's Fair in Knoxville, Tenn.

Michael Cox, youth minister at Brentwood, said 37 members of the church's youth choir and four sponsors were to have left Nashville the next morning to go to Knoxville. He said Hancock was a member of the church's youth basketball team, the Baptist Young Men's Christian Association, the staff of the church paper and an usher in addition to singing in the choir.

Nashville police detective Frank Pierce said Hancock and about 15 other teen-agers had been swimming in the shallow end of the pool around 5 p.m. when an adult spotted the youth's body floating in the deep end. He said that Hancock knew how to swim and no bruises had been found on the body.

The rest of the Brentwood youth group returned to Houston while Cox waited in Nashville until Hancock's parents arrived. The funeral will be Aug 19 in Houston.

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RTVC Names Gilstrap  
As Vice President

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FORT WORTH, Texas (BP)--Robert Edward Gilstrap, 50, executive director of missions for the Atlanta Baptist Association in Georgia since 1974, will become vice president for counseling services for the Southern Baptist Radio and Television Commission (RTVC) Sept. 15.

He replaces Ben E. Loring Jr., who resigned July 15 to become pastor of Trinity Baptist Church, Oklahoma City, Okla.

Gilstrap, a native of Atlanta, served as a foreign missionary in Central America 1961-68. He was pastor of Sherwood Forest Baptist Church, Rome, Ga., (1968-72) and Sylvan Hills Baptist Church, Atlanta (1972-74) before going to the Atlanta missions post.

In that capacity, Gilstrap directed the telephone counseling effort for the Atlanta broadcast of the RTVC's "Invitation to Life" television program earlier this year.

In his new position he will supervise the agency's counseling program and develop additional ministries to people responding to RTVC broadcasts.

Gilstrap is a graduate of Mercer University in Macon, Ga., (BA '55) and Southwestern Baptist Theological Seminary (MDiv, MRE, '61). He has filled many denominational leadership roles, including vice president of the Georgia Baptist Convention (1979-80) and president of the Southern Baptist Convention's Directors of Missions Conference (1979-80).

He and his wife, Hazel, have three children.

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(BP) photos sent to state Baptist newspapers by Southern Baptist Radio and Television Commission.

2,200 WMU Leaders  
Hear Sample, Hunt

By Catherine Allen and Beth Wildes

RIDGECREST, N.C. (BP)--Leadership in missions will only become possible when Christians recognize God's call to serve as a personal call according to Dorothy Sample, national president of Woman's Missionary Union.

Addressing approximately 2,200 WMU leaders at Ridgecrest Sample said, "If God is calling us to make a new commitment let's not respond with 'Why me'."

She urged the women to face the challenge of God's call to service head-on.

"Many times we fear to respond because we fear what God will do with us if we give him all potential," she said, telling the women they should allow God's spirit to stir up their spiritual gifts.

A good way for women to discover their spiritual gifts is to ask themselves the questions: What do I like to do? What do I do well? What do people frequently ask me to do?, she explained. "God has given us gifts and he wants us to return them to him. When we do he will multiply them."

However, she cautioned women not to become so involved with leadership roles that they forget to minister to people they come in contact with each day. "Jesus was on his way to Jerusalem to die when he stopped to minister to Zacchaeus, a little man up a tree," Sample concluded. "Let's not just teach missions, let's live it."

Alma Hunt, former executive secretary of WMU told the women they have "never had more opportunities than we have today."

Hunt urged women to take advantage of leadership opportunities in missions education in their home territories as well as at associational, state and national levels of WMU.

Commending the large number of young women in the audience Hunt stressed, "There is no more rewarding investment of life than in missions and missions education."

Hunt, 72, admonished older women, "There never comes a time when we can fold our hands and not participate. Our job is to keep working and to encourage the young."

After 26 years directing conferences at Ridgecrest she continues to attend leadership conferences, directed by her successor Carolyn Weatherford, as a learner.

"The secret of vitality in leadership is never to lose sight of the over-arching objective for which WMU is organized," she said.

Hunt feels the greatest untapped potential in WMU is prayer. She advised both younger and older women to continue to grow in leadership capabilities and in the practice of prayer.

"There are no better guidelines to follow in life than the plan of Woman's Missionary Union," she said.

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'Invitation To Life' Rallies  
Scheduled In Four Cities

By Greg Warner

Baptist Press  
8/17/82

FORT WORTH, Texas (BP)--Four cities have been chosen to host evangelistic crusades for "Invitation to Life," a television program produced by the Southern Baptist Radio and Television Commission (RTVC).

Louisville, Ky.; Denver, Colo.; Morgan City, La. and Ferguson, Mo., were selected as sites for crusades during the next few months. Revival services will be held four nights in each location and taped by the RTVC to produce 16 programs for weekly broadcast on the proposed American Christian Television System (ACTS).

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Similar crusades were filmed last year in Phoenix, Ariz., and Magnolia, Ark., and the programs were test-marketed in five U.S. cities.

As with last year's programs the upcoming "Invitation" crusades will feature the preaching of John Bisagno, pastor of First Baptist Church, Houston. Larry Black, minister of music, First Baptist Church, Jackson, Miss., will again lead the music.

First stop for the revival team and TV crew will be Louisville Aug. 22-25 when approximately 20 area churches will mount a city-wide evangelism campaign in an amphitheatre. The program will move to Denver Sept. 19-22, hosted by Riverside Baptist Church.

Another city-wide effort is planned for Morgan City Oct. 10-13, hosted in a civic auditorium by First Baptist Church. The last stop will be Ferguson, a suburb of St. Louis, where First Baptist Church will serve as host Nov. 28-Dec. 1.

Other dates and locations for 1983 crusades are under consideration.

The "Invitation to Life" program, while resembling other TV evangelistic services, is unique in its use of short feature segments, or vignettes, about church members and activities. The vignettes are woven into the one-hour program to portray for viewers the spiritual experiences of individual Christians and how those Christians relate to the local congregation.

John Grable of the RTVC has been named director of the upcoming "Invitation" programs. He will be in charge of videotaping the services and the vignettes. Bob Taylor, RTVC vice president for production services, is producer.

"Invitation to Life" is one of several programs created by the RTVC for use on ACTS, the proposed national Baptist TV network, which will deliver TV programming via satellite to low-power television stations, full-power stations and cable systems.