

REMINISCENCES OF PRESBYTERIAN MINISTERS.

BY AN OCTOGENARIAN.

No. 83. JOHN B. HOGE.

The Reverend Moses Hoge was one of the most influential ministers in the Synod of Virginia. He was before my day. The writer was at no time in his company, and my want of acquaintance with him forbids my entering into any details. He officiated in Shepherdstown on the Potomac, was President of Hampden Sidney College, and was equally respected in both these positions.

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John Blair Hoge, one of his sons, was an eloquent preacher who died in Richmond in middle life. His health was impaired, and a voyage to Europe was recommended by medical advisers as the likeliest means of restoration. In the summer of 1816 we saw him immediately after his return to Virginia from his foreign tour.

It has become so common a thing for our ministers to cross the Atlantic that we have almost ceased propounding questions about foreign parts. Of late years we have heard enough of the Abbeys of England, Welsh valleys, Westmoreland lakes and Irish pillars; but at the date of which we write such objects excited curiosity.

In the summer of 1818, the writer was on his way to Bedford Springs. The Scotch gentleman by whom he was accompanied proposed that we should call at Martinsburg, the capital of Berkeley county, and spend a day or two with the subject of this paper.

One word more. The intimation in your article of January 9th, that in endorsing Dr. Hodge's report I committed myself to the theory that "Assembly of violent men" in St. Louis in 1866, is as unworthy of you as it is unjust to me, and not to me only but to the memory of those good and great men.

I will now give attention briefly to the question of Commissions, and I remark— and urge debtors to the giving of forthcoming bonds.

1. That when you say "Mr. Shanks lays down the sweeping proposition that anything which a Church court can itself perform, it may also perform by a Commission," you do me another injustice. It is true this sentiment was expressed in my letter as printed. But after that letter was mailed and one week before it was printed, and at least three weeks before you printed that criticism, I wrote you stating that this sentence was incomplete and requesting you to amend it to read thus, "That whatever the Synod itself can do, that same thing, under certain limitations, it can do by a Commission."

LETTER OF REV. MR. SHANKS.

FALLING SPRING MANSE, JAN. 31, '78.

Rev. Wm. Brown, D. D.:

Dear Sir,—A few words more will cover all I have to say on the inherent power of church courts. In your argument you laid great stress on the substantial concurrence of our Assembly in the voluminous statement of doctrine and constitutional principles contained in the letter of the Synod of Kentucky.

I beg to remind you of the numerous precedents referred to by me, and especially the cases of the Cumberland Presbytery and Poona church, which you have found it convenient to overlook on this point.

2. The imagined case of the General Assembly claiming power to suspend a member of Falling Spring church is irrelevant, because the case in hand is whether the Synod can retry a case regularly before it by appeal—no matter whether it can institute process and take original jurisdiction. The latitude, however, claimed for the Assembly in your argument for a Pan Presbyterian Council, would satisfy the most flagrant ambition, and even justify the Assembly in such a usurpation.

3. You have said that the Book gives to the Presbytery exclusively the power to enter process against a minister, and that the Synod cannot retry a case upon appeal, because a new trial must begin de novo by entering process, tabling charges, &c.

4. You affirm that the Book expressly says, the Synod "may remit the cause for a new trial," and so virtually denies to the power to retry it. You are mistaken. Here is the passage, and I beg you to note the punctuation: "The decision may be either to—; or to remit the cause for the purpose of amending the record—; or for a new trial."

5. The explanation is easy: When Mr. Shanks sent his second communication it was followed by a private note the next day, January 16th, requesting us to make some changes, which was immediately attended to. That is the only communication of the kind of which we have any knowledge.

6. Dr. Thornwell explicitly approved Commissions. You say, "You admit, and endeavor to break its force by the statement that he was 'comparatively a young man.'"

7. In the judicial case of Rev. Mr. Cook and others, against the proceedings and judgments of Louisville Presbytery, in our Assembly of 1875, a motion was made by Dr. J. R. Wilson for the appointment of a Commission. The majority of those who debated the point admitted the lawfulness of Commissions.

8. The Girardeau endorsed Commissions with plenary power—and even our very constitutional brother, Dr. Lefevre, conceded that a Commission with limited powers, was lawful. The motion was tabled, I believe, upon the ground of inexpediency. But need I say more? The whole matter may be summed up thus: The Church has in numerous instances endorsed and employed judicial Commissions, and so far as I know, the right has never been discredited save in the single instance of the Synod of Virginia, and in this case the Commission was clothed with plenary power to try and issue the case.

9. With this statement of facts I now submit to the judgment of all who feel any interest in the subject, whether you have not utterly failed to discredit Commissions. Your failure reminds me of this story. A young minister preached on one occasion before a Methodist Conference and did his best. After the benediction, a good brother asked one of the fathers how he liked the young brother's sermon. He replied, "You have heard of persons coming out of the little end of the horn?" Yes. "Well I think the young brother did not quite get out."

10. The Central of January 30th has just reached me. I am truly sorry that I have been the occasion of such a tempest. "Och, Biddy, what can the matter be, pray?" The "old clothes" have troubled you, have they? Well, you know I predicted that you would groan, but I thought you would do it in a corner. I had no idea you would utter these piteous wails in public. You could not have behaved worse at a funeral. For one who is

so conspicuous, and affects to be a guide to the blind, to be as unsteady as a weathercock is pitiable, and then to have his "old clothes" aired in the Central, this is too bad. I have compassion, but public interests, you know, must be supreme.

11. The case of W. O. Davis. Mr. Davis was tried by his Presbytery for heresy and acquitted, and the Synod apparently upon the ground of prejudice in the lower court, determined to retry him. Mr. Davis appealed and the Assembly decided that the Synod erred "in its reference to try Mr. Davis when there was no defence on appeal in his case before them."

12. When the elders of a session are disqualified for any reason for trying a case, the Assembly says, "the Presbytery is the competent court, and it is their duty to cite the offender before them and proceed to issue the case." The principle settled here is that the incompetency of the lower court gives to the superior court jurisdiction for trial of the case. And it matters not whether the superior court obtains information of this incompetency by common fame, review and control, reference, complaint or appeal.

13. In replying to this closing article the same method is adopted as before. Both parties will be most easily understood if the reader will pursue what Mr. Shanks' turns to what is said under the corresponding letter in the reply; and so to the end.

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