

THE SOUTHERN PRESBYTERIAN REVIEW.

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ARTICLE I.

AN APOSTOLIC MISSIONARY IN CHINA.

About ten years ago, a young man was quietly ordained to the foreign mission work in a small church in Montreal, Canada. He had been from boyhood an enthusiast as to missions, and having now finished his preparatory studies, was ready to go forth as an ordained medical missionary to China. No public attention was aroused by his ordination, and there were but few to bid the young missionary God-speed, though there were some, even then, who were deeply impressed by the quiet *intensity* with which he spoke at meetings which he addressed before leaving the country, and who long after remembered him as one especially characterised by apostolic faith and fervor. He was the first missionary whom the then "Canada Presbyterian Church" sent forth to the heathen in the regions beyond Canada, which, of course, is a wide mission-field in itself.

The Rev. Principal Grant, of Queen's University, Kingston—then of Halifax—happened to be in Montreal, and to be present at the dedication service, and he thus describes the impression produced on him at the time: "The committee had not selected one of the large churches for the service, probably because it estimated rightly the amount of public interest in foreign missions. The small church was not filled. The missionary-elect, a small, dark young man, seemed to make little impression on the con-

ARTICLE VII.

DOCUMENTARY HISTORY OF THE ASSEMBLY OF
1837.

We present our readers with two papers under this title, taken from the *Baltimore Literary and Religious Magazine* for the year 1837, both written by Dr. R. J. Breckinridge. They are valuable, rare, and of living interest—in fact in some of their aspects very apposite to the present case of our Church.

The former of these two documents discusses the ABRIGATION of the fatal PLAN OF UNION which well-nigh proved the ruin of the Presbyterian Church. The *Plan* itself is given, as adopted by the Presbyterian General Assembly in 1801, and also by the General Association of Connecticut, and then the *Resolutions* of the General Assembly of 1837 abrogating it. Then follows Dr. Breckinridge's paper, illustrating "the justice, propriety, and necessity of this vote."

The latter document discusses THE CASE OF THE FOUR SEPARATED SYNODS. It is a twofold argument in defence of the action of the Assembly of 1837, first, from *the nature and duty of discipline*, and secondly, from *constitutional power and duty*.

[EDITORS SOUTHERN PRESBYTERIAN REVIEW.]

I.—ABROGATION OF THE PLAN OF UNION.

In the digest of the Assembly's acts, on pages 297–299, is printed the famous *Plan of Union*, whose abrogation by the last Assembly had so prominent a place in its acts, and will undoubtedly exert so great an influence on the future destinies of the Presbyterian Church in the United States. We print the *Plan* itself, that our observations on it may be more simple and intelligible.

Plan of Union between Presbyterians and Congregationalists in the new settlements, adopted in 1801.

"The report of a Committee appointed to consider and digest a plan of government for the churches in the new settlements, was taken up and considered, and after mature deliberation on the same, approved, as follows:

"Regulations adopted by the General Assembly of the Presbyterian Church in America, and by the General Association of the State of Connecticut, (provided said Association agree to them,)

with a view to prevent alienation and promote union and harmony in those new settlements which are composed of inhabitants from these bodies.

“1st. It is strictly enjoined on all their missionaries to the new settlements to endeavor, by all proper means, to promote mutual forbearance and accommodation between those inhabitants of the new settlements who hold the Presbyterian and those who hold the Congregational form of Church Government.

“2nd. If in the new settlements any church of the Congregational order shall settle a minister of the Presbyterian order, that church may, if they choose, still conduct their discipline according to Congregational principles, settling their difficulties among themselves or by a council mutually agreed upon for that purpose. But if any difficulty shall exist between the minister and the church, or any member of it, it shall be referred to the Presbytery to which the minister shall belong, provided both parties agree to it; if not, to a council of an equal number of Presbyterians and Congregationalists agreed upon by both parties.

“3d. If a Presbyterian church shall settle a minister of Congregational principles, that church may still conduct their discipline according to Presbyterian principles; excepting that if a difficulty arise between him and his church, or any member of it, the cause shall be tried by the Association to which the said minister shall belong, provided both parties agree to it; otherwise by a council, one-half Congregationalists and the other half Presbyterians, mutually agreed on by the parties.

“4th. If any congregation consists partly of those who hold the Congregational form of discipline, and partly of those who hold the Presbyterian form, we recommend to both parties that this be no obstruction to their uniting in one church and settling a minister, and that in this case the church choose a standing committee from the communicants of said church, whose business it shall be to call to account every member of the church who shall conduct himself inconsistently with the laws of Christianity, and to give judgment on such conduct; and if the person condemned by their judgment be a Presbyterian, he shall have liberty to appeal to the Presbytery; if a Congregationalist, he shall have liberty to

appeal to the body of the male communicants of the church; in the former case the determination of the Presbytery shall be final, unless the church consent to a further appeal to the Synod, or to the General Assembly; and in the latter case, if the party condemned shall wish for a trial by mutual council, the cause shall be referred to such council. And provided the said standing committee of any church shall depute one of themselves to attend the Presbytery, he may have the same right to sit and act in the Presbytery as a ruling elder of the Presbyterian Church.

“On motion,

“*Resolved*, That an attested copy of the above plan be made by the Stated Clerk and put into the hands of the delegates of this Assembly to the General Association, to be by them laid before that body for their consideration, and that, if it should be approved by them, it go into immediate operation.” Vol. I., p. 261, 262.

SECTION 6.—*Adopted by the Association.*

“The delegates to the last General Association of Connecticut reported that they all attended the Association during the whole of their sessions and were received and treated with great cordiality and friendship.

“That the regulations submitted by the last Assembly respecting the establishment of churches in the frontiers, consisting of members partly of the Presbyterian and partly of the Congregational denomination, were unanimously adopted by the Association.” Vol. I., p. 276.

One of the large business committees of the General Assembly of 1837 submitted a report, of which the following is a portion:

“In regard to the relation existing between the Presbyterian and Congregational Churches, the Committee recommend the adoption of the following resolutions, viz.:

“1. That between these two branches of the American Church there ought, in the judgment of this Assembly, to be maintained sentiments of mutual respect and esteem, and for that purpose no reasonable efforts should be omitted to preserve a perfectly good understanding between those branches of the Church of Christ.

“2. That it is expedient to continue the plan of friendly inter-

course between this Church and the Congregational churches of New England as it now exists.

"3. But as the 'Plan of Union' adopted for the new settlements in 1801 was originally an unconstitutional act on the part of the Assembly, these important standing rules having never been submitted to the Presbyteries, and as they were totally destitute of authority as proceeding from the General Association of Connecticut, which is invested with no power to legislate in such cases, and especially to enact laws to regulate churches not within her limits, and as much confusion and irregularity have arisen from the unnatural and unconstitutional system of union, therefore it is

"Resolved, That the act of Assembly of 1801, entitled 'A Plan of Union,' be and the same is hereby abrogated. See Digest, pp. 297-299.

"4. That our delegates to the bodies representing the Congregational churches be instructed to explain to them the reasonableness and even necessity of the foregoing measure."

On the 23d of May these resolutions were adopted by a vote of 143 to 110. It is the object of this paper to illustrate the justice, propriety, and necessity of this vote.

They who will consider the past history of the Presbyterian and Congregational Churches in this country, will see abundant reason for the close sympathy which has always united them to each other, and the cordial good understanding which has so long existed between them. Our sincere desire is, that our Congregational brethren may not allow themselves to be hurried into measures in the present crisis which shall have any tendency to break up this state of things. And that the sound Presbyterians of the present day are actuated by no unfriendly feelings towards Congregationalism in itself considered, nor towards those who prefer that system, is abundantly manifest from the resolutions printed above. Let each party manage its own affairs in its own way, and let the other have the delicacy to mind *only* its own affairs. And when such Congregationalists as those at New Haven and those of the *Evangelist* become hot partisans of an erroneous and evil-spirited minority in our Church, let them be

discountenanced by all pious men in their sect who do not wish to inflame the whole land by a controversy on the radical principles of the two denominations. Presbyterianism seeks no controversy with any branch of the true Church of God; but it should be borne in mind that she has and can have no cause on her own account to fear any.

The Taylorite Congregationalists and the New School Presbyterians are very bold in declaring themselves the true descendants of the Puritans. "*We are Smithfield men,*" was the repeated and most shameless boast of Dr. Peters and Dr. Beman, in the last Assembly. "*A Puritan, therefore,*" (says Daniel Neal, History of the Puritans, Vol. I., p. vii., of the Preface to the London edition of 1822,) "*a Puritan, therefore, was a man of severe morals, a Calvinist in doctrine, a Non-conformist to the ceremonies and discipline of the Church, though they did not totally separate from it.*" Now to which part of this description may the two classes we have named above honestly pretend? Are they men of "*severe morals*"? Yes, if it be so to swear to a creed which one does not believe. Yes, if it be so to enter a Church only to revolutionise it and at the same moment swear to study its unity, purity, and peace. Are they "*Calvinists*"? Yes, if it be so to deny, revile, and studiously caricature some of the fundamental truths of Calvinism and zealously contend for opposite and irreconcilable errors. Are they "*Non-conformists*" through conscience? Yes, if he is a Non-conformist through conscience who conforms for convenience, from ambition, or through carnal self-seeking, to one system when he so decidedly prefers another, that even a bastard one, between the two, is precious as life compared with the one to which he immorally conforms. When men sacrifice principle, there is little wonder if they give up sense and knowledge also.

The truth is, however, that the Congregational denomination in this country was much more really the descendants of the Puritans than their Independent brethren in England, and therefore they were perhaps as nearly akin to Presbyterianism as to Independency.

The Church spoken of in the sentence above extracted from

Neal was the Established Episcopal Church of England, and the Non-conformist party was that which became the Presbyterian body of England after the formation of the Westminster standards; was the same which carried England almost in solid phalanx for the League and Covenant; the same which amidst the fiery trials which attended them before the rise of the English Commonwealth sent out many of those colonies and ministers who laid the foundation of the New England churches. These churches were indeed Puritan, Non-conformist, Calvinistic, and severely moral. Their principles, in all essential respects, and their creed, almost in terms, were those that formed the basis of the Westminster standards. Hence, while the English Independents to the present hour are upon the mere and absolute Brownist or pure Congregational foundation, and universally reject all creeds and authority above a church, the so-called Congregationalist churches of this country, and especially those in Connecticut, (with whom the *Plan* we are now discussing was formed,) became united under systems widely departing from the English model of the present day, and not only adhered to creeds, and for a long time to perfectly sound ones, but use them until now, with a profuseness unparalleled in the history of the Church.

Whilst, therefore, many principles were common to us and the churches of New England, and our creed almost identical, it is not wonderful that good men in both churches sought for closer union, and loved to get as near together as possible. In this spirit the *Plan of Union* was formed; and we are inclined to think that if it had been executed in its own true intention, and with fidelity on the other side, it might possibly have continued for an indefinite period. But as we shall show, the *Plan* itself, at first not consistent with the real principles of either party, was speedily and entirely perverted in practice. The Congregational churches, on their part, tended to change in two most important respects, either of which would have been fatal to the *Plan of Union*. They have gradually departed from the doctrines of their ancestors, and they have gradually inclined their systems more and more towards Independency, in both respects becoming more and more unlike to us and us to them. A plan which was hard

to manage at the best, became intolerable under these perversions, and left the injured party no alternative but its abrogation. But let us go a little into detail.

1. It is perfectly clear to our minds on the mere perusal of the Plan itself that it was meant only for *new* settlements and *weak* churches there. It makes provision only for such. Therefore the moment *frontier settlements* became thickly peopled and churches permanently established, the Plan should have ceased to operate in *that region*, and the churches there formed become fully Presbyterian or fully Congregational. As long as *new and frontier settlements* existed, the Plan would exist there. But it was never intended to be constant in such a way as to erect a new sect, bastard between the two parents, and finally capable of destroying both.

2. It is equally evident that the Plan never contemplated the formation of Synods out of churches absolutely heterogeneous in at least four respects, set forth in the paper itself; still less was it ever supposed that these motley churches should be represented in the General Assembly by persons neither ministers nor elders; and least of all could it be imagined from the examination of the plan that it could ever be made the ground of a system of organisation by means of which persons who never adopted our standards, and churches which did not believe them, should absolutely hold the balance of power in our entire body, and so use that influence as to threaten a total revolution in the doctrine and discipline of the Church.

3. There is no evidence at all that where a Presbyterian minister served a Congregational church, this should justify that church in calling itself Presbyterian and sending some private person as an elder to our Church courts; nor that when a Congregational minister served a Presbyterian church, this should justify him in calling himself a Presbyterian and sitting in our tribunals; nor when a church consisted partly of Presbyterians and partly of Congregationalists, that any member of it should have the rights and privileges of a ruling elder in all cases merely because he was a standing committee man. None of these things were ever intended. Yet they were all done to the ruin of both Presbyterian and Congregational discipline and order.

We assert, therefore, that the Plan itself was never executed according to its own obvious meaning; that the matters in which it was perverted and misapplied were entirely contrary to the principles and Constitution of our Church; and that the influence thus produced in our body illegally and contrary to the Plan itself, was constantly evil and constantly increasing. But the Plan itself, in its own real and obvious intent, was originally contrary to the Constitution of the Presbyterian Church; and even if it had been faithfully executed from the beginning, it never was and never could have been compatible with our standards. Moreover, the General Association of the State of Connecticut never had any, the slightest, power to execute on its part such a plan in any of its parts. For—

1. Every Presbyterian minister has the right to be tried by his own Presbytery when any difficulty exists between him and his church, or any member thereof, and this right is most explicitly secured by our standards. But the second article of the Plan deprives him of this right and directs such cases to be referred to a certain mixed commission utterly unknown to our system.

2. Every private member of our churches has the same right to have all his church difficulties examined by his Session as our ministers have to bring theirs before the Presbyteries. But the third resolution of the Plan deprives the members of purely Presbyterian churches of this important right inherent in all our people, and substitutes an Association, or a mixed tribunal, both alike unknown to Presbyterianism, for the church Session.

3. By our Constitution every Presbyterian church must have a Session composed of a board of elders. But resolution 4 abolishes this board in certain cases. With us none but ministers and elders can administer discipline in any case. But this 4th resolution appoints a standing committee, who are neither the one nor the other, to perform this important work. By our system every member of our Church has a right to carry his case, by appeal, up to our highest tribunal. But by this resolution, in certain cases, this clear right is abolished. By our Constitution no human being but a ruling elder, regularly ordained, can act as a ruling elder in any of our Church courts. But by this monstrous

resolution, in certain cases, a member of the standing committee of a mixed church, and who is as to us a mere private person, is declared to "have the same right to sit and act in the Presbytery as a ruling elder of the Presbyterian Church."

4. But the General Association of Connecticut never claimed any sort of authority over the private members of the churches of Connecticut even at home. Of course it never could have any over them after they left the bounds of the Association, which were no more extensive than Connecticut itself, even if it had any over them at home, which it had not. But above all, it had no shadow of right to bind church-members from any of the other New England churches, even in Connecticut, much less in their own native regions; and least of all, after they had emigrated into the *new settlements* of New York and Ohio.

It has always appeared to us one of the most humiliating exhibitions of human weakness and inconsistency ever made by men professing to act with reflection and on principle, that the very same persons who, in the Assembly of 1836, argued that the body had transcended its powers in the case of the agreement with the Pittsburg Board of Foreign Missions, should assert that it had acted enough within them in the case of this Plan of Union. Our Constitution expressly empowers the Assembly to conduct Missions; the Assembly made a covenant with the Western Foreign Missionary Society to appoint a Board to carry on Foreign Missions, and to take its stations, etc., under its care. But these "*Smithfield men*" find out pretexts to refuse to execute the agreement, and forbade the Assembly, of which they and theirs were the majority, to do what it had covenanted towards the world's conversion. Yet these same "*Smithfield men*" find other pretexts to declare the *Plan of Union*, which violates our Constitution pointedly in six or seven particulars, to be good, wise, and *sufficiently* constitutional; and being a *covenant*, say they, unalterable without consent of parties; and even after that, the sacred vested rights under it intangible and unreachable by any human authority. How true it is *that they who cannot turn cannot spin!*

Though Presbyterianism and American Congregationalism

agreed originally in many things, and do still agree in some, yet they also differ fundamentally in some very important respects. Dr. Alexander observed on the floor of the General Assembly, that we had as much right and power to direct a part of our churches to be governed on the principles of diocesan episcopacy as on those of this *Plan of Union*. Does not the remark commend itself fully to every man's conscience? Is there a particle more resemblance, if so much, between a committee-man and a ruling elder than between a pastor of one of our churches and a diocesan bishop? The plan is, then, as far as it is executed upon its true intent, a thorough subversion of our whole system of Church order; and it is no mitigation of its injury to us that it departs from true Congregationalism about as far as from true Presbyterianism, and threatens it almost as seriously as it does us. The truth is, that the operation of the thing has been to rear up a new system, which has not only constantly troubled both those which formed it, but has been a sort of hot-bed out of which all sorts of monstrous things have issued. Monster itself, from the hour of its birth, its vigorous growth has only developed features which alarmed both its improvident parents, and the brood of its self-created progeny has been mainly stamped with its own evil image and superscription, and like itself, boasting for the most part a power "to dash wise counsels," to pervert good systems, and to educe from good the power to do hurt. Where did men learn to be Pelagians from revivals of religion? Where did the temperance cause teach men to deny the use of wine in the sacrament? Where did the cause of human freedom degenerate into an agrarian and Jacobinical crusade for levelling and amalgamation? Where did high spiritual effort and excitement terminate in Antinomianism, perfectionism, and licentiousness? Where, reader, where but in the very churches and regions where a most fatuitous *Plan of Union* between things which could not be thus united first grossly perverted itself, afterwards perverted portions of two Christian denominations into the wildest, most erroneous, and most fanatical sect that any portion of the Church of Christ ever acknowledged to be Christian?

It is not wonderful, then, that multitudes in our Church have

long bewailed and long striven to remedy this state of things. The writer of this article sat for the first time in the General Assembly in 1831. That Assembly, after full argument, decided that a committee-man, then present, should take his seat in the body as a ruling elder. And he did so: and out of an Assembly of about two hundred and thirty members only about seventy, or one member in three, could be induced to sign a testimony against this audacious violation of the Constitution they had all sworn to support. The following year the Synod of the Western Reserve was directed to take order and report in regard to the alleged disuse of the office of ruling elder in its churches and the prevalence of certain doctrinal errors in that region; and the next spring, that is in the Assembly of 1833, that Synod appeared by its delegates, and partly by evading the subject, partly by un candid statements and promises, and partly through the connivance of a New School majority in the body itself, the whole matter was for that time hushed up. The following spring (1834) the *Act and Testimony* was issued, and the Assembly of the next year, 1835, had become so thoroughly convinced of the evils of the whole subject, that it forbade any new churches to be formed under the *Plan of Union*, and made an overture to the General Association of Connecticut for its abrogation. That Association has remained profoundly silent on this subject, even to this very day. Even the act of the Assembly of 1837, now printed by us, has failed to make the oracle speak, and we are therefore obliged to wait still longer on its dumb and solemn meditation.

It appears to us to exhibit clearly the sense of weakness under which the minority of the last Assembly and their partisans every where have attempted to defend this Plan of Union—to hear them continually harping with a cuckoo note “it is a treaty, it is a covenant, it is a covenant, it is a treaty.” We beg pardon of Mr. Elipha White of Massachusetts and South Carolina, who did take a different ground in one part of one of the almost frantic bodily exercisings with which he entreated the Assembly. If we understood him, this was the syllabus of his argument: This Plan is and always was clearly unconstitutional; it has always given trouble and may be always expected to do so (Ah! thought we,

this is very good, when lo! the conclusion); *therefore we ought to adhere to the Plan for the sake of peace!!!* Truly a "new measure" in "seeking peace."

And what is a treaty and what a covenant? Does either word occur in the whole course of this Plan? Or is there one feature or element of either in it? Or is there in it any subject which could be the basis of either as between the acting parties? Or had those acting parties any sort of power to make a treaty or covenant about the matters and persons here involved? Surely, there is no absurdity of which men need any longer be ashamed, nor any assertion too hardy to be made. But above all, that the very "*Smithfield men*" who had, *on principle, broken the covenant and annulled the treaty* about Foreign Missions between the Assembly's Committee of 1835 and the Board of Directors of the Western Foreign Missionary Society should so soon discover that the acts of the same body, with others, do in fact immediately become unalterable and sacred both as treaty and covenant when an Association takes the place of a society and Taylorism stands in the stead of Missions, is a triumph of "New Light" which no one will dispute with Colonel Jessup, Dr. Beman, Dr. Peters, *et id omne genus.*

But suppose it were both treaty and covenant, what then? Are all treaties eternal? Is there no equality to be regarded as between contracting parties? Is there no such thing as a failure of consideration? Is there no making void that which was once good but which becomes wholly vitiated by reason of fraud, deceit, and perversion of articles, and consequent injury to an innocent party? Is there no redress for things done through mistake or in ignorance? Is there no such thing as a usurpation of power and the doing of acts which one or both the parties contracting had been forbidden by competent authority to do? Or are all third parties indissolubly and forever bound by the unauthorised acts of those who pretend to have full power and may have colorable authority to act for them? Our New School friends incur much risk of public exposure and contempt when they act hastily on the hypothesis that all men are as ignorant or as reckless in their statements as themselves.

We will not enter at present into the question of the effects which would lawfully or logically follow the abrogation of this Plan. That whole subject will properly occupy our attention in our next paper when discussing the resolutions declaring the four Synods out of our communion. At present we will close this disquisition by suggesting what seems to us sufficient reasons why the Plan of Union should in any condition of things have been abrogated; and why, under existing circumstances, the resolutions actually passed by the late Assembly were both wise and necessary.

1. We have demonstrated, as it appears to us, that the Plan of Union was at first improvidently made. It was evidently not wise, nor likely to be well executed. It was complex; it was uncalled for; it was a needless revolution in the habits of all the parties proposed to be benefited by it, for those parties could well have lived in harmony without it, and could hardly hope to escape trouble under it. It may have been a well-meant, but was surely a most ill-contrived affair.

2. It is as clear as any proposition ever can be made, that the General Association of Connecticut had no sort of power to make such a plan, and that the General Assembly of the Presbyterian Church were expressly forbidden to do, and solemnly sworn not to do, any of the material things herein complained of respecting it. The thing was, as to both sides, wholly unconstitutional, and therefore both were bound, and were sworn, never to make it; and having inconsiderately and illegally made it, to abrogate it as soon as possible.

3. It was a source of constant trouble, confusion, and disorder in our Church. One party in the Church considered those claiming rights under the Plan intruders, while they considered these opinions and feelings hard and unjust. There could be with us no peace or harmony while things remained as they were. All which is proved by the history of the seven last Assemblies.

4. The operation of the system, and the whole influence of the Plan, rendered constant difficulties between our Church and the Congregational churches probable, if not inevitable. It put great temptations in the way of Congregational churches to interfere in

our affairs. It seemed to make it a sort of duty on the part of the General Association of Connecticut to exercise a protecting sort of regard for a portion of our churches. It held out, or seemed to hold out, improper inducements and facilities to Congregational ministers to enter another sect, without in fact changing their former principles; and indeed held the two denominations in a sort of relation to each other that in all periods of commotion and excitement was extremely unpleasant, if not critical.

5. The churches formed on this Plan were neither wholly Presbyterian nor wholly Congregational, nor wholly on the half and half system. As a whole, they constituted a new sect, and yet their various parts constituted at the same time three or four new subordinate sects. The necessary result was the rising up of a new and strange thing in the country, which neither Presbyterianism nor Congregationalism could justly be expected to foster, and which must always trouble both. And in the process of its formation it would necessarily occur that all sorts of new creeds and church covenants (which are in their very essence and being anti-Presbyterian) would be formed; and that not only great errors might creep in, but great truths creep out, of these little creeds. And precisely such results to a most deplorable extent have followed; yea, and all attempts on our part to get at the real extent and posture of these evils have been constantly resisted, so that even now no man knows the full state of these matters. Bad as we know the thing to be, every new examination and development has proven the thing to be worse and worse. Mr. Colton admits that he himself, though no great dabster at such work, formed no less than *fourteen creeds* in the region covered by this Plan of Union.

6. The growth and progress of these things had already brought matters to such a pass that no man of common discernment could see any alternative but for the Presbyterian Church to cut loose and fall back on its own principles or be totally revolutionised. It was already a mere question of life or death. Everything strange, unsound, and troublesome in all our borders had made common cause with this Plan of Union sect, and its spirit per-

vaded the entire New School ranks. Not to have abolished that Plan would have been tantamount to a direct vote for the total subversion of our Church order, the entire perversion of our testimony, and the utter prostration of sound Presbyterianism, so far as the General Assembly was concerned.

7. This course, so absolutely necessary for us, was hurtful to the interests of no one whatever in any sort of way that we should or could regard. It might injure error; but that was a reason why we should do it. It might disturb the disturbers of the earth; but should we go back on that account? Whom does it injure? The cause of Christ, says one. We shall see that better by-and-bye. The Presbyterian Church, says another. That also the future will reveal. Has any man a right to be a Presbyterian without believing our doctrines, adopting our standards, or holding to our system? But we are willing, and more than willing, to receive all who will do these things. All others who seek to join us are either knaves or numskulls. If the churches in the separated Synods wish to join our body, let them enter by the door; all who enter otherwise Christ himself has denounced. If they wish to be Congregationalists, there is no hindrance; let them do what seems good to them. Would they form a new sect? Who hinders them? Would they be as they are? So let them be. All that is asked of them is, that they will be what they pretend to be, and nothing more or less.

Here, then, is the whole case. If the churches of Connecticut choose to find fault with the Assembly's act of abrogation, let them speak, and doubtless they will find a prompt and respectful answer, the very reverse of their dumb dignity. If they are satisfied, who else has any right to complain?

2.—THE CASE OF THE FOUR SEPARATED SYNODS.

On the 1st of June the Assembly passed the following resolution by a vote of 132 to 105:

Resolved, That by the operation of the abrogation of the Plan of Union of 1801 the Synod of the Western Reserve is, and is hereby declared to be, no longer a part of the Presbyterian Church in the United States of America.

On the 5th of June the Assembly passed the four following resolutions, the *first* by a vote of 115 to 88, and one *non liquet*, and the *three* last by a vote of 113 to 60.

Be it resolved by the General Assembly of the Presbyterian Church in the United States of America—

1. That in consequence of the abrogation by this Assembly of the Plan of Union of 1801, between it and the General Association of Connecticut, as utterly unconstitutional, and therefore null and void from the beginning, the Synods of Utica, Geneva, and Genessee, which were formed and attached to this body under and in execution of said Plan of Union, be, and are hereby declared to be, out of the ecclesiastical connexion of the Presbyterian Church of the United States of America, and that they are not in form nor in fact an integral portion of said Church.

2. That the solicitude of this Assembly on the whole subject, and its urgency for the immediate decision of it, are greatly increased by reason of the gross disorders which are ascertained to have prevailed in those Synods, (as well as the Synod of the Western Reserve, against which a declarative resolution similar to the first of these has been passed during our present sessions,) it being made clear to us that even the Plan of Union itself was never consistently carried into effect by those professing to act under it.

3. That the General Assembly has no intention by these resolutions (or by that passed in the case of the Synod of the Western Reserve) to affect in any way the ministerial standing of any members of either of said Synods, nor to disturb the pastoral relation in any church, nor to interfere with the duties or relations of private Christians in their respective congregations, but only to declare and determine, according to the truth and necessity of the case, and by virtue of the full authority existing in it for that purpose, the relation of all said Synods, and all their constituent parts, to this body and to the Presbyterian Church in the United States.

4. That inasmuch as there are reported to be several churches and ministers, if not one or two Presbyteries, now in connexion with one or more of said Synods, which are strictly Presbyterian in doctrine and order, *Be it further resolved*, That all said churches and ministers who wish to unite with us are hereby directed to apply for admission into those Presbyteries belonging to our connexion which are most convenient to their respective locations, and that any such Presbytery as aforesaid, being strictly Presbyterian in doctrine and order, and now in connexion with either of said Synods, as may desire to unite with us, are hereby directed

to make application, with a full statement of their cases, to the next General Assembly, which will take proper order thereon.

These various resolutions present a case of most unusual and thrilling interest. They exhibit a course of proceeding unparalleled for its firmness, decision, and efficiency, in the Churches of the United States, and rarely exceeded in the history of the Church of God. Whether it was prompted by zeal for the truth and faithfulness to God, or by a base love of power and a blind devotion to party, this and coming generations will decide according to their own views of the value of truth and purity, and the necessity of obeying Christ at all costs. But none can deny to the authors of these acts the most resolute adherence to the principles they embraced, the most admirable candor in the full and unreserved avowal before earth and heaven of those principles and the ends they aimed at by obeying them, and the most sagacious constancy in the patient and courageous following out of means calculated to attain their avowed objects.

Surely it is a remarkable sight to behold a Church, which has been for ages laboring to extend itself, suddenly stop short and so act as to deprive itself of a fourth or fifth part of its apparent strength! It requires a blind faith indeed to believe that a communion which had thrown open its doors for many years, with a confiding frankness before unknown, and allowed free entrance, nearly without question, should, *without reason*, against its whole habits of life, modes of action, and apparent interest, not only shut these doors abruptly, but, as some say, force out of doors in doing it so prodigious a portion of those claiming to be lawfully within the house. Men do not ordinarily allow their conduct to be so glaringly in contrast with their interest without some exceedingly weighty reason. And while we fully admit that reasons the most weighty are necessary to justify the conduct of the last Assembly in the matter now under review, we are convinced not only that a full justification can be made out for it, but that any less decided action would have been at once faithless, childish, and futile, under the actual circumstances of the case. We crave the reader's candid attention while we attempt the proof of this declaration.

We have published in a former number of this periodical the *Testimony and Memorial of the Convention of 1837*. There are set forth minutely and in order the errors in doctrine and the disorders in practice of which the orthodox complain. Any man who now doubts that the errors there condemned are the errors of the New School party, only thereby proves his own ignorance of passing events. New School men who deny that they hold the chief part of them, only show that they are unworthy of belief in stating a fact. They are the root of the whole trouble, not only in our Church but in all the Churches; and if men do not hold them, why do they hold so tenaciously to all who do hold them? If men do not hold them, why do they refuse to give ample satisfaction to those who at first *feared* and then were forced to *believe* they did hold them? Why do they allow the Church to be convulsed on account of non-existent figments? It is too late now to discuss this matter as a question of fact, and he who requires it gives just suspicion at once of his sincerity and soundness.

Neither shall we now attempt to prove that these errors and disorders are utterly intolerable by any Christian Church. No man who has experienced the saving grace of God, surely no man of evangelical views, and beyond dispute no sound Presbyterian, can possibly hesitate one moment on such a subject. The whole aspect of these heresies and irregularities is utterly inconsistent with the gospel of God; so clearly so that even those who have published them did in the late Assembly, when brought plumply up to assert or deny them, generally decline voting or voted against them.

The third step in the case brings up the question before us. The wide extent of these errors has nearly proved fatal to our Church. They have rent the body of Friends; they have split up the Congregational churches; they have *deluged* the Baptist Church; they have infected all bodies of professing Christians. But a few years ago excellent and wise men in our Church did indeed believe that *very few*, perhaps not above a few dozen, Presbyterian ministers actually held them. If such views were then correct, how sadly have these few dozens multiplied since? For

in 1836 the majority of the Assembly voted in substance that the chief part of these errors were solemn truths, by rejecting the resolution of Dr. Miller in regard to Mr. Barnes's Notes on the Epistle to the Romans; and Dr. Peters, Dr. Skinner, and all the leaders of the New School party in that body, are reported by their own friends, and in friendly prints, to have declared openly their adhesion to Mr. Barnes's sentiments. Nor is this all; for repeatedly in the last Assembly did the various speakers of that party assert that they had the majority of our Church, and that our majority in that Assembly was merely accidental.

Here, then, is the state of the case. Fatal errors and disorders prevail in the Church. They who hold them believe themselves to be the majority of the whole body, and need only carry out their plans for usurping power by making small Presbyteries, to give them the rule, even if they were considerably the smaller portion. These persons, by the full and unqualified admission of all interests, are too much unlike the other portion of the Church to enable them to continue a union profitable or pleasant to either side. The orthodox had proposed terms of voluntary separation which were not only just and liberal but most generous, and these were rejected after equivocation and uncandid chicanery and amid boasts of future power and majorities, sneers at our *accidental majority*, and unmeasured abuse of our leading men, our best measures, and our general policy. The Plan of Union had been abrogated, and that abrogation was pronounced to be high-handed, unconstitutional, void, and so on; and would of course be undone when these "Smithfield men," with the price of slaves in the pocket of one abolition leader, and we know not how many shaven bills in the pocket of that other leader whose taste and instinct led him to do the abuse of his party, should return to power. The plan of citation had been proposed, and was hardly passed by a small majority, under the scouts and derision of the New School party, with open assertions that it could never be executed, and should never be obeyed!

Thus stood the case. And if ever a party was shut up by the hand of God to do what his grace and providence required, we were. We remember that the Committee of Citation met on the

adjournment of the Assembly one Saturday afternoon, and after a painful session and much diversity of opinion, adjourned without seeing their way clear. The same afternoon the Committee for Voluntary Division met, and after several adjournments, finally failed of doing anything! And so we stood on reporting the issue to the Assembly. We well remember the anguish of our own spirit at this juncture, and the trembling of heart with which we looked first towards what seemed to us the impending ruin of the Church, and then humbly for the appearing of the Lord to succor us. And never shall we cease to bless the Great Shepherd of Israel for his glorious coming to our deliverance.

Our own conviction had long been that the Presbyterian Church was solemnly bound, and that all its tribunals had full power, to separate from her communion all such as having intruded into it, should be found on full consideration and in the judgment of charity, unsuitable or unworthy members. We contended in short, for *Christian discipline*; and we always considered this a complete remedy for all our troubles. In this mind the writer of this article ventured to suggest to the General Assembly that as we had failed of voluntary separation, our plain duty was to separate as many members as should be found unsound in the way of discipline; and that we should commence at once by ordering Presbyteries to try unsound members, Synods to arraign unsound Presbyteries, and for the Assembly to act at once and promptly on the Synods by citing such as it should appear necessary to cite, and separating from our communion forthwith such as the necessity and justice of the case required. Well do we remember the scowl of derision and the laugh of open scorn with which the "*Smithfield men*" received this statement. And long shall we be cheered by the lesson which the issue gave us, that an honest and manful course is not only the most creditable one to our Christian character and the most comfortable one to our consciences, but is also the only one that promises at last certain and permanent success.

There is another episode to tell. Dr. Baxter of Virginia was a member of the Citation Committee. And here we may be excused for expressing our deep sense of the obligations which

the whole Church owe to the delegates of that ancient commonwealth, both in the Convention and in the Assembly. Well and nobly have they redeemed the character of the Virginia churches. At the head of this admirable delegation was the fine old gentleman whose name I have just written. It is to him I think that the Assembly was indebted for the suggestion which led it, as by a fine but strong cord, through the mazes and contentions and pressing difficulties of the case, and brought it out clear and free from the vast incubus of a bastard Congregationalism, steeped in all the errors and disorders which had so fearfully harassed and beset us. *If, said he, the Plan of Union be unconstitutional, it was from the beginning null and void, because nothing contrary to the fundamental law, which is the Constitution, can have any legal force. But if the Plan of Union never had any legal or binding operation in the Presbyterian Church, then of course the churches formed under it, on it, or by virtue of it, never were in our connexion, and we need only pass a declarative act to that effect.*

We find ourselves, then, arrived at the two great lines of argument by which the resolutions of the Assembly, now printed, are to be defended.

I. THAT THE ASSEMBLY HAD FULL POWER TO DO WHAT IT DID IN THE CASE OF THE FOUR SYNODS IN THE WAY OF DISCIPLINE.

II. THAT IT WAS OBLIGED, BY THE VERY CONSTITUTION OF THE BODY ITSELF, TO DO WHAT IT DID, EVEN IF THE CASE HAD NOT REQUIRED DISCIPLINE AT ALL. These two propositions we shall briefly illustrate and enforce. And in order to simplify the subject we will present in two separate and successive series such arguments and considerations as appear to us perfectly conclusive of the whole subject.

The Argument from the Nature and Duty of Discipline.

I. The right of any person to be a private member, a ruling elder, or a minister in the Presbyterian Church, is by no means a perfect and absolute right. It is, on the other hand, a right qualified by many conditions, and dependent on a variety of con-

tingent facts, principles, and circumstances. So also of the right of churches to be under the watch of our Presbyteries, of the latter to be attached to Synods, and of these to be under the care of the General Assembly. The conditions laid down in our standards are in every case conditions precedent; and the moment these conditions are violated, that moment, in the eye of God, of morality, and of logic, the resulting rights are gone. Thus no man has a right, of any kind or sort, to be a Pelagian and at the same time a Presbyterian minister, nor has any association of Congregational churches any sort of right to call itself a Presbytery and claim the rights of one. As to the methods of proving and determining such questions, that is another matter, which is merely of form and detail, and will be spoken of presently; but the substance of the case is not in the form, nor in the view of reason necessarily dependent on it. Therefore the outcry of the separated Synods about violated rights is mere humbug, for the very question at issue is as to their ever having had any sort of right in the very matter in hand. Nay more, if the conditions on which the resulting rights depend be broken in fact but nominally and formally adhered to, it is a case of gross and deliberate fraud which it is impossible to conceive that a true child of God could commit. And if this fraud be perpetrated under oath, it is premeditated and wicked false swearing in the most awful matters of faith! The whole case is one over which every *pretended* Presbyterian should shudder rather than bawl in popular meetings and roar through party presses about being deprived of sacred rights vested in him by the wicked commission of deliberate wrongs!

II. If it were even admitted that the Constitution of the Presbyterian Church had provided no adequate remedy for the enforcement of commanded duties or the redress of forbidden evils, still nothing is clearer than that in such a case it would be the duty and the right of its constitutional tribunals to create the necessary forms and methods of trial, redress, or cure, as the case might be. This is a principle of universal application in every form of organised society, and is indispensable to the existence of any kind of community, because no human wisdom can foresee or provide for all possible contingencies. *Deficiente remedio justitia defecerit,*

is a maxim of the common law, and the Court of King's Bench in England, the highest source of administrative justice in that country, was always bound to fix a remedy for the enforcement of rights not otherwise sufficiently enforceable. But in our Church this principle is, from the very nature of our Church order, whose model and whole rule of action we assert to be divine, of most peculiar application. And most manifestly, in acting upon it, we should keep in view the general rules already settled; as for example, the application of a sound discipline to purify the Church of intruders being a settled principle, the use of a new remedy, if one were needful in applying such a rule, to purge the Church of forbidden heresies, is a high and most binding duty on every Church court. Therefore the cry of the excluded Synods that even if they were heretical there was no adequate remedy against an unsound Synod, and that the remedy applied was unconstitutional because unprecedented, is mere sophistic ignorance, even if the facts were all true.

III. We go still further. It is absurd to suppose that any system should provide for a case involving its own radical corruption. Every system provides for making its own parts come back into order when disordered, and no more. But if the spreading corruption of the parts has already proceeded so far that cure is no longer possible to them, then the only alternative is to stand by and see the gradual and certain ruin of the system itself, or to fall back on the perfectly clear principles stated in the first head above, and declare and enforce in an extraordinary way those truths and duties which the very existing corruptions render difficult or impossible to be defined and maintained in ordinary ways. The principles on which all constitutions rest, if true, are so before and independently of their creation or existence; and when constitutions are so perverted as to defeat in practice their own ends, then they who enforce the principles of the constitution, even in an extraordinary way, and not they who transgress both those original principles and the positive enactments which define them, are the true friends and conservators of the constitution itself. Such a state of things is extraordinary; but when it really occurs, men faithful to truth, to God, and to his Church,

will never shrink from the duties it imposes upon all who prefer self-preservation in righteousness to self-immolation for the advancement of wicked and deceitful error.

IV. The real case that did exist, bad as it was, had, however, sufficient provision made for it. For it is an undisputed and universal principle in the interpretation of all instruments, that they must be so interpreted as to be consistent with themselves, and so as not to defeat the end of their formation. This principle applied to written constitutions, necessarily gives birth to a second, which is itself of universal acceptance, namely, that where a specific power is vested, all powers necessary to enforce that are also vested; and that the right to decide when and to what extent these resulting powers arise must abide in some tribunal created by the instrument itself, if not otherwise expressly provided for. Now, no man in his senses will deny that the standards of the Presbyterian Church had a definite object in view, nor that the errors and disorders alleged, yea, and proved, to be widely disseminated in the four Synods, are totally contrary to that definite object and the whole scope of those standards. Then all powers necessary to expel these errors are by the very force of the proposition vested in the bodies directed to expel them. And as this direction is explicit in regard to every one of our tribunals, every one in its respective sphere would possess all necessary power to do the thing ordered, even in default of specific provisions. And so, as the Assembly is the only tribunal above the Synods, and therefore the only one that can act with authority over them, it follows that the Assembly has power, of whatever spiritual kind may be necessary, to preserve our doctrine and order against corrupt Synods. And in the exercise of this power the Assembly might, if necessity were laid on it, proceed to the excision of an indefinite number of Synods, for the preservation of our standards is the fundamental duty of the Assembly.

V. This is not a new case at all in this particular aspect of it, but, on the contrary, every principle of it here contended for has already and long ago been settled by the General Assembly, and acquiesced in by the whole Church. Early in this century what was called a great revival of religion occurred in portions of Ken-

tucky and Tennessee. False teachers arose, disorders followed, trouble came, and discipline supervened. The Presbytery of Cumberland, belonging to the Synod of Kentucky, became peculiarly obnoxious, and like the New School men of our days, multiplied its ministers and its heresies in equal ratio, until there was much reason to fear that its unsound and incompetent members would treat the Synod just as the Assembly has been in eminent danger of being treated. The Synod took up the case in earnest, and after such an examination of it as satisfied them, declared the Presbytery of Cumberland to be no longer in its communion. After some delay, the Assembly fully approved this act, and even thanked the Synod for its conduct. Now, let any one find any more authority in our standards for a Synod to cut off an unsound Presbytery than for the Assembly to cut off an unsound Synod and he will do a grand service to his New School brethren. Chapter XI. of our Form of Government treats of Synods, Chapter XII. of the General Assembly. Let the reader study them together, and we boldly assert there is just as much power vested by the latter for the Assembly to separate from it a heretical Synod as by the former for a Synod to separate from it an unsound Presbytery. By the one Synods are directed "*to take effectual care that the Presbyteries observe the Constitution of the Church.*" (Chap. XI., Sec. 4.) And on this, which is the largest grant of power in the Chapter, the Synod of Kentucky cut off the Presbytery of Cumberland, which would not "observe the Constitution of the Church;" and all the Church thanked the Synod for it! But by the other the Assembly is declared to possess "*the power of suppressing schismatical contentions and disputations,*" as well as that of "*attempting reformation of manners and the promotion of charity, truth, and holiness*" (Chap. XII., Sec. 5); and upon this grant alone, upon the principles of the former decision, the four contentious, disputatious, schismatical Synods, might righteously have been cut off, and thereby manners would have been and will be reformed, and charity, truth, and holiness promoted; yea, and we doubt not the parallel will be complete in the bestowal of the hearty thanks of the whole true Presbyterian Church in this as in the former case, upon wise, faithful, and consistent

men who have, humanly speaking, saved the body from destruction.

In these cases the parallel in doctrine was as complete as that of the principles involved and the conduct of the respective parties. It has fallen to our lot to know somewhat intimately the material facts and many of the principal actors in both cases, and we think ourselves permitted to devote a paragraph to show that if ever anything was fully established by human testimony, then it is certain that the doctrinal errors of the Cumberland Presbytery and the four Synods are essentially the same. Let us state the nature of the proof.

1. Joshua L. Wilson, D. D., of Ohio, and James Blythe, D. D., of Indiana, were both well acquainted with all the Cumberland controversy and all the steps through which the matter passed. They then stood firm for the truth; they have now again passed through the New School controversy. They both yet live to testify that the doctrinal errors of the two eras and parties are essentially the same. Often have we conversed with the last named of the two, and heard him say these errors of the New School are the very errors which convulsed the Church in Kentucky above thirty years ago. And to the same purport was the open and public testimony of Archibald Cameron, lately fallen asleep in Jesus, and who left behind him but few ministers equal to himself, either in learning, talents, or honesty.

2. The Rev. Robert Marshall had been carried away with the new opinions in his younger days. He was a most powerful speaker and one of the strongest men on that side. In after life he returned to a sound faith and the Presbyterian Church. We heard and saw him in the West Lexington Presbytery at Georgetown in Kentucky, about the year 1831 or 1832, take in his hand the "Faith according to Common Sense," of Frederick A. Ross of Tennessee, then recently published in the *Calvinistic Magazine*, and solemnly warn the churches against its contents and against the New Theology in general, as the very essence of the opinions by which he had fallen and from which by the grace of God he had been restored.

3. The Rev. Barton W. Stone, the founder of the sect which

is called the Christian Body or New Lights, was a Presbyterian minister, embraced the new opinions between 1800 and 1810, and from that time until now, if he still lives, actively as consistently, and we add for the benefit of *our* New Lights, *honestly* advocated them. This Christian Body in Kentucky is now united with the Campbellite Baptists, and we have known ministers of the two sects go down into the water together and alternately dip their converts. This Mr. Stone has publicly declared that many of the opinions of the New School are those for which he has all along contended; and where they differ we believe it is because his opinions are the more reasonable and philosophical of the two.

4. The present sect of Cumberland Presbyterians was formed some time after the excision of that Presbytery by three members of it, who though not perhaps cordially Presbyterians, were not New Lights in doctrine. We are not intimately acquainted with their present condition, but our impression is that it is a tolerably sound little body, which considers itself standing on the crack between Calvinism and Arminianism. And this we venture to predict will be the precise result with the better sort of half-breeds embraced in the four Synods.

5. The more rampant of the Cumberland heretics ran into Shaking Quakerism, Mr. Macnama and Mr. Dunlevy, who were both Presbyterian preachers, being amongst the founders of that fanatical society in the West. And already multitudes of New School men have become Perfectionists, and even nominal Presbyterian ministers have been found to teach a fanaticism worse than Shakerism.

VI. The only remaining question on this branch of the subject is, Did the *facts of the case* as to the real state of the region embraced in the four Synods justify the Assembly to proceed to extremities, as in a case of discipline? For ourselves we are ready to say that at the time we were called on to decide this question, we not only considered the case fully made out for decisive action, and ourselves shut up to the clear necessity of deciding as we did, but the more we reflect on the whole matter, the more firmly do we remain convinced that what was done was right, and that the

hand of God was most visibly in the whole business, and conducted us to the blessed result to which we came. Here also we will be a little specific.

1. The presumption of reason and law is that the four Synods and the churches composing them are precisely as the Plan of Union on which they are formed would make them. No man's title can be better than his patent. No man's religion is purer than his Bible. Here is the Plan on which these churches are formed; in the absence of all proof we are obliged to believe that the churches are just what they ought to be, taking the Plan as the model. If the model is perverted, so much the worse, as the inference is then still stronger against the churches. But by the model, out of every seven cases provided for, six would be directly at war with the standards of our Church, as any one may see on perusing the Plan of Union. Then, if the preservation of our standards be a good reason for the exercise of discipline, here was an imperative presumption against all these Synods.

2. This presumption of law and reason was rendered a certainty by the records of the Synods and the facts touching these records. In the first place, these records concealed material facts which they ought to have recorded, and which not having recorded, the evident fact and necessary presumption is, would have been against them if recorded. Thus in regard to the proportion of elders and of Congregational churches; in relation to cases of discipline, especially where they embraced doctrinal questions; and generally in all such matters as would, if fully recorded, exhibit the real state of the region, material parts of their records were deficient. But secondly, these records, as far as they went, showed that the Plan of Union was in full and complete operation; that persons not ordained sat in all those Synods as ruling elders; and that the order of our Church was, in many fundamental respects, violated habitually. All this was at the end of a six years' discussion of the questions at issue, and after one of the four Synods (Western Reserve) had been once called to the bar of the Assembly.

3. The *testimony* actually before the Assembly was such as to satisfy every reasonable man that this whole region was deeply

infected with all the errors and disorders which had threatened the ruin of our Church. This testimony is in great part before the public in a multitude of forms, such as books, pamphlets, periodical reviews, newspapers, and controversial tracts. Much of it has been stated from year to year for the last six years on the floor of the General Assembly by persons from the infected region and that round about. Many members personally knew a multitude of facts. Members from the region, and especially from the Western Reserve, stated, in order to defend their conduct, facts which convinced many that things were worse than could as yet be ascertained, while members from the other Synods and other members also were prevented from making more full developments by the cries and uproar for order on the part of the New School party. Many official papers, such as letters from stated clerks of Presbyteries and Synods, were before the Assembly. The past acts of the members from these Synods in the Assembly in former years confirmed all this mass of proof, and showed that really the question had finally become as stated by Dr. Peters in the Assembly of 1836, whether the orthodox should any longer be tolerated. In addition to this, many delegates from the three New York Synods, after seeing the turn matters took in relation to the Western Reserve, refused to testify at all, and remained dumb, when candor and interest both required them to speak; and this they did by concert with their party, as is since fully proved, although they have tried to make the world believe they had a desire to speak fully out and were refused opportunity. The whole case was fully before the Assembly in all its merits, and fully justified the temperate and candid statement contained in the 2nd and 3rd of the series of resolutions in relation to the three New York Synods. But if any portion of the four Synods is indeed sound, ample provision is made in the 4th resolution for its reunion with the Church. And still further, let every Presbytery, according to our Book of Discipline, go over the whole subject with its delegates and make them explain, as the case may require, either why they did or did not vote for the resolutions now under discussion. Truth and orthodoxy have everything to gain by such a course; and we apprehend there are far more who will

find it difficult to excuse themselves for not favoring than for having supported this glorious reform.

The Argument from Constitutional Power and Duty.

I. We have demonstrated in a former paper that the *Plan of Union* was utterly unconstitutional. If so, the necessary result is that it was always absolutely void and without any force whatever. For the Constitution is the fundamental law, and no subsequent resolution of an Assembly can make that inoperative by virtue of which the Assembly itself exists. But if a law be unconstitutional and void, every act performed under it is null, every interest founded on it is void, and everything issuing out of it is as completely inoperative as to any legal validity as if the law itself never had existed. When the competent authority once ascertains the unconstitutionality of the act, the same decision which settles that point draws after it all the consequences stated above. This is the long settled and undeniable law of the case, and all argument is idle on either side as to this point.

II. It is no relief to say that these Synods were formed, not in virtue of the Plan itself fairly understood, but in some other manner consequent on its perversion. Still, the case is harder, for they so perverted it, as has been already shown, as to make it more grossly unconstitutional in its *construed* than in its real character. Nor is it any mitigation to say that the Assembly itself formed the Synod without regard to the Plan. For the Assembly had no shadow of power to form any but *Presbyterian Synods*, and if it attempted to gather Congregational churches and mixed churches into a Synod, the act was as thoroughly illegal as if it had gathered Baptist and Methodist churches into one. Let the thing be done by whom it might, or upon what pretext soever, it was always a gross assumption of power never vested, and the act was utterly void.

III. Some have said that the Assembly could not declare its own past acts unconstitutional, even if they were so. But this is a mere sophism. In every written constitution there must be some tribunal to act as the conservator of the system, or force and revolution must decide everything. In the Presbyterian

Church we profess to believe that no human tribunal has any power to make any *new laws* for God's Church, but only that our tribunals may expound and declare the true intent of the divine laws already promulgated by our Lord, and enforce them by spiritual means only. In this case such a rule as the one stated above would either claim for our Church infallibility, which is Papism, or it would render it impossible for us ever to rectify anything erroneous, which is madness. But what possible difference can it make, in reason, whether there be two or three tribunals, and you call one congress and another a court, or whether you were to unite the powers of all in one and call it Assembly? The New School people may, if they choose, call our Church order *bad*; but it is rather too much to say that it is, as to many indispensable functions, a nonentity. We remember that Col. Jessup, who passes for a good lawyer, took exception to the phraseology of the resolution in the case of the Western Reserve. "*Is, and is hereby declared to be*, no longer a part of the Presbyterian Church," etc., were the words of the resolution. But, said Col. Jessup, this is a falsehood, for *it is now* a part, whatever it may be hereafter. And to our utter amazement a large part of a speech against the resolution was built on this idea, which even more than the one combated above, emasculates the Assembly, by denying it power even to state its propositions before voting on them. We say in a deed "*have bargained and sold, and do by these presents bargain, sell, and convey;*" we say in a law, "*the said act shall be, and hereby is, repealed;*" the like in every paper that was ever artificially drawn. But we apprehend that Col. Jessup takes good care not to expose himself by making such arguments either in a court of law or a legislative chamber.

IV. It is also pretended that the Assembly committed suicide by the declarative resolution against the four Synods, and thereby annihilated itself. If this were true, it is not easy to see what could make the four Synods thenceforward the true and only Presbyterian Church, as some contend, unless on the principle of *lucus a non lucendo*. But if the Assembly ruined itself, how should that impair the right of the Presbyteries to elect a new one? Suppose every member of the body had been swept off in

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a night, it would only have required another delegation of members from the Presbyteries, and no man in his senses would say the *Church* was dissolved or that the Assembly had ceased to exist. How, then, shall the separation of a comparatively small part of its nominal members from it produce such mighty effects? The case is that of Æsop's fly, who got on the wheel of a coach and exclaimed in ecstasy, What a dust we raise! But if it be indeed true that the Assembly was extinct after the passage of the resolution against the Synod of the Western Reserve, then two insuperable difficulties beset the New School. First, why did they continue to sit and act till the end of the session; and why make such a fuss about the violated rights of the excluded delegates; and why did those delegates behave so outrageously in attempts to force their way into a *dead* body of mere private persons? And secondly, how can any New School Presbytery delegate members to the next Assembly which will meet under the order, by the appointment, and be constituted by commissioners *only* from those Presbyteries of which the dead one was composed after its suicide! It is a sensible maxim of our Indians, *that a man who has two tongues can only speak to one person at a time!*

V. Much commotion is threatened about suits, and notices were given to the Clerk of the Trustees of the General Assembly by the commissioners from all the separated Synods not to pay any funds on any orders from the Assembly after the passage of the resolutions affecting them. If these notices were obeyed, the effect would be only to rob some scores of laborious missionaries of bread, turn some dozens of pious beneficiaries out of our theological seminaries, and reduce our venerable professors to want; and all this by the act of persons and churches who never paid a farthing in the dollar of the funds now claimed, and who have set themselves up, by way of example to all men, as the most active and benevolent of Christians. We say nothing of the spirit of litigiousness thus manifested, for the same sort of people have always shown the very same temper. But what seems to us remarkable is that they should have at once so little delicacy and so much love of money. The orthodox offered the New School *half* the funds of the Church, as far as they had power to give them,

though both parties knew they were on no ground whatever entitled to a tenth. Nay, say the four Synods, we alone, though only a part of a part, and that the part that gave little, must have all!! Well, gentlemen, if you get it, what then? We will tell you what. As to yourselves, it will do you no good, for the curse of fraud, dishonor, and broken vows will be on it. As to us, it will do us no harm, for our churches would, any time these seven years, have given twice as much to be purged of the leaven of your doctrines. But the truth is, that this threat is all an afterthought; it is ridiculous in itself; it will never be carried into execution; and if it should be, will only seal the ruin of the party who, under such circumstances, should make the attempt. Sue indeed! Sue whom? And for what? Shall a man sue a church Session who will not let him come illegally and stay improperly in the communion of a church? Shall a man sue a minister because he objects to his pew, which he rented under pretence of worshipping God, being converted into a cake shop on Sunday? It is all sheer nonsense. There is, we venture to say, nothing to sue about, nobody to sue, no tribunal in which any action can be maintained, nor a party on earth to maintain the suit. Still further, we assert that if these things were otherwise, there can be no question that the particular act of the Assembly now under discussion would be sustained whenever and by whomsoever fairly tested.

We have protracted this discussion to so considerable a length that we omit much that we had intended to say, and close the article with a single reflection, which seems to us very important. No one can now entertain the least hope of any future union of the two parties in the Presbyterian Church. If the next Assembly were to undo all the important acts of the last, and amongst other things restore the four separated Synods, no one can doubt but that a violent rupture of the Church would immediately ensue. What, then, is to be gained by such an issue? Or why should men, pretending to the least particle of orthodoxy, countenance operations which must end in their own defeat or in the ruin of the cause they profess to love? For ourselves, we consider the time for parley as well as that for neutrality entirely passed;

and we are fully convinced that every man who will not cordially sustain the acts of the last Assembly ought to be considered an enemy to the Presbyterian Church and a New School man in disguise. A little firmness will now put this hated controversy at rest, during this generation at least; and therefore all who love God in our Church should put themselves at once in the forefront of a contest which cannot be lost without deep injury and lasting dishonor, and which may be won by one vigorous and well concerted effort. Blessed be God, we hope in the future with the same confidence that we rejoice in the past.