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- ART. I.—1. *Collections of the New Jersey Historical Society*, Vol. I. (East Jersey under the Proprietary Governments. By William A. Whitehead.) pp. 351. 1846. Bartlett & Welford, New York.
2. *The Goodly Heritage of Jerseymen*. The first Annual Address before the New Jersey Historical Society. By the Rt. Rev. George W. Doane, D.D. LL.D. pp. 32. 1846.
3. *Proceedings of the New Jersey Historical Society*. 1845—1846. pp. 204. Newark, 1847.
4. *Collections of the New Jersey Historical Society*, Vol. II. (The Life of William Alexander, Earl of Stirling, Major General in the Army of the United States, during the Revolution. By his Grandson, William Alexander Duer, LL.D.) pp. 292. 1847. Wiley & Putnam, New York.

SELDOM has an association of the kind advanced more rapidly in public estimation, or made its existence known in a more acceptable manner within the circle of its influence, than has the New Jersey Historical Society. Although but little more than two years has elapsed since its organization, the publications

the Jews may be caught in the same net with the Gentiles, and no longer constitute a "several fishery." With these views, we heartily approve of the beginning, which has been already made in this direction, by our own Church, through her Board of Missions.

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ART. V.—*General Assembly.*

THE General Assembly of the Presbyterian Church of the United States of America met, agreeably to appointment, in the First Presbyterian Church in the city of Richmond, Virginia, on Thursday, the 20th of May, 1847, at 11 o'clock, A. M., and was opened with a sermon by the Rev. Charles Hodge, D. D., the moderator of last year, from 1 Cor. ix. 14; "Even so hath God ordained, that they which preach the gospel should live of the gospel."

After sermon the Assembly was constituted with prayer. The roll of the Assembly was then made up in the usual way, embracing commissioners from two new Presbyteries formed during the year; that of Rock River, in the Synod of Illinois, and that of Knoxville in the Synod of West Tennessee.

The Rev. James H. Thornwell, D. D., was elected Moderator, and the Rev. P. J. Sparrow, D. D., Temporary Clerk.

*Devotional Exercises.—St. James' Episcopal Church.*

A communication was read from the Rector and Vestry of St. James' Church, Richmond, offering the use of said church for religious services, at the pleasure of the Assembly. On motion it was *Resolved*, That the Christian courtesy of the tender be acknowledged, and the matter be referred to the Committee on Devotional Exercises. This gratifying exhibition of Christian feeling and confidence, shared equally by the Baptist, Methodist, and New School Presbyterian Churches, led to the appointment of a daily devotional service, for the benefit of the people, which alternated between St. James' Church and the United Presbyterian Church, in addition to the supply of all the pulpits on the Sabbath by members of the Assembly.

We have received the impression that this Assembly was characterized by an unusual amount of devotional and benevolent feeling. In addition to the usual services connected with the anniversaries of the several Boards, there were special sermons in the evening before the Assembly, by the Rev. Dr. Thornwell on Popery, by the Rev. Thomas P. Hunt on Temperance, by the Rev. Dr. Hodge on Parochial Schools, and by the Rev. Dr. Jones on the religious instruction of the Negroes. If our impressions on this point are correct, we hail it as a happy omen. The true prosperity of the church is much more vitally connected with these exercises which cherish her inward life, than with the usual business of settling appeals and complaints, and enacting laws touching her outward forms. This constitutes a very pleasing feature of the proceedings of the General Assembly of the Free Church of Scotland.

#### *Reduction of Representation.*

The propriety of altering the ratio of representation, so as to reduce the number of delegates forming the General Assembly has been agitated for some time, and during the last year it has been freely discussed in our periodicals. The subject was brought before the Assembly by memorials from the Presbyteries of Greenbrier and Western District, asking the Assembly to overture to the Presbyteries the expediency of reducing the ratio of representation; and also from the Presbytery of Zanesville, proposing to adopt the plan of Synodical instead of Presbyterial delegations. The Committee of Bills and Overtures returned these memorials to the house recommending the following resolution which was adopted, viz:

“*Resolved*, That it is not expedient to refer to the Presbyteries any measure, having for its object the alteration of the existing ratio of representation.”

From the small degree of interest excited by this subject in the Assembly, and from the strength of the vote in its rejection, we are led to infer, that only a few individuals in our church sympathize with the agitation kept up in the papers during the last year. There appear to be three principal reasons for desiring the proposed change. 1. It is urged that our General Assembly as now constituted, is too large for the transaction of business in a way at once deliberate and expeditious. In an

Assembly composed of so many individuals trained to public speaking, there will always be a large number anxious to deliver their views on every leading question. If all who wish to speak are fully heard it consumes an inordinate amount of time; and if the liberty of speech is restricted, it leads to confusion and dissatisfaction. And besides, the time of the house is often taken up by speeches on unimportant questions while the real business is left to be hurried through, in the closing hours of the session, with a precipitancy which forbids deliberation, and endangers the wisdom of the decisions.

These are doubtless real evils; but it is urged in reply, that the proposed measure would have no tendency to obviate or abate them. All the experience of deliberative bodies goes to show that no reduction in the number of members would have the effect of diminishing the amount of speaking, unless it were carried to a point that would entirely defeat the whole principle of representation in the Assembly. Upon every question about which there is a diversity of views at all, there will be found in every such body, however small it might be made, persons representing every shade of opinion, and therefore anxious to express their opinions. Debates are terminated, not by the exhaustion of speakers, but the exhaustion of opinions and arguments on the one side, and the exhaustion of patience on the other. Now experience proves that this exhaustion takes place sooner in a very large body, than in a moderately small one. The speaking in the former case, being mostly confined to a few of the ablest members of the body, is soon done up, and the majority refuse to hear any more. Hence there is less speaking in the British House of Commons, made up of more than six hundred members, upon great public questions, than there would be in the House of Representatives of any State in this Union, composed of one-sixth of the number.

The evils arising from the undue consumption of time by speeches seem to be inherent and incurable; at least they are incurable by any reduction of representation compatible with the character of the Assembly.

2. A second and more plausible argument for the proposed measure, is drawn from *the expense* of assembling so large a body from every part of the United States. The direct and unavoidable travelling expenses of the delegates, cannot amount to less

than five thousand dollars annually. This argument derives greater weight from the fact that a considerable part of that sum comes out of the pocket of the members, in consequence of the inadequate contributions to the Commissioners' Fund. And it happens, farther, from the necessities of the case, that this tax falls heaviest upon the remote and less wealthy parts of the church.

That this is felt to be a severe grievance is manifest, from the warmth of the debate which sprang up incidentally, about the distribution of the monies collected and reported for the Commissioners' Fund. It appears that some of the richer Presbyteries first pay the expenses of their delegates, and merely transfer any balance that may remain to the general fund. The effect of this, of course, is to diminish the dividend available for the other members. Cases of difficulty and hardship, and even injustice are liable to arise out of this arrangement. But the obvious answer to all this, as an argument for reducing the delegation is, that in the first place, these evils may easily be cured by more ample and equal provision on the part of the church at large, to meet the expenses of those whom she delegates to transact her business; and in the second place, that they would not be met by a reduction of the delegation. The most natural result of this measure would be, a corresponding reduction in the amount of the contributions to the fund. If any one will cast his eye over the statistical table, he will see at once, that the contributions to this fund are graduated not at all by the means of the churches, but simply by their estimate of its necessities. The present inadequacy of this fund ought to be held up before the churches until it is seen and felt; and no one can doubt that there is abundant means to supply the deficiency. The way to remedy the evil, is not by discussions and resolutions in the Assembly, but by spreading information, and calling to it the attention of the churches.

If the question be whether the necessary expenses of the present delegation to the Assembly are wisely laid out, or in other words, whether it is worth to the church what it costs, we take for granted, no one would hesitate to give an affirmative answer. For in the first place it is clear that the contributions for this purpose, do not, in the least, diminish those made for benevolent purposes, or other ecclesiastical objects. This has been set-

tled long ago in the experience of the church. And in the second place, the obvious advantages arising from the association of the members of the Assembly, and the impressions received from the various exercises and doings of the body, immeasurably outweigh the comparatively trifling expense of its annual assemblage.

3. The third argument for the reduction of the Assembly is that it vacates unnecessarily for several weeks, so many pulpits. To this it may be answered, 1. That most of the pulpits are not necessarily, or in fact, vacant at least for the whole time. In almost every place some supplies can be procured in the absence of the pastor, either by licentiates, or unemployed or transient ministers. 2. It is often a great relief to the minister to escape for a little while from the steady pressure of pastoral care and labour, to recruit his health, unbend his mind, and refresh his spirits by pleasant intercourse with his brethren. And, of course, the people also get the full benefit of this invigorating process, on the part of their pastor. 3. Even if there were no incidental considerations of this sort, the temporary vacancy of a few churches would be nothing, in comparison with the advantages arising from the greater wisdom and weight of the assembly as now constituted. Any material reduction in its numbers, (and to be effective it must be material,) would not only endanger the principle of adequate representation, but essentially diminish that moral power, both conservative and efficient, which is now one of its principal functions.

*“Commissions” of Presbyteries and Synods.*

The constitutionality and expediency of Presbyteries and Synods appointing “Commissions” of their body to try judicial cases, was brought before the last General Assembly, and referred with very little discussion to a committee to report to the present Assembly. Dr. Hodge, on behalf of the committee, presented the following report :

“In the minutes of the General Assembly for 1846, p. 210, is found the following resolution, viz : ‘*Resolved*, That the records of the Synod of Virginia be approved, while in so doing the Assembly would be understood as expressing no opinion on the question decided by the Synod, in reference to the authority of the presbyteries of Winchester and Lexington to appoint commissions in the case alluded to in the record of the synod.’

"It appears from the minutes, p. 216, that the following resolution was subsequently offered and referred to a committee consisting of Drs. Hodge, Lindsley, Musgrave, McFarland, and McDowell, to report thereon at the next Assembly, viz: '*Resolved*, That in the judgment of this Assembly, it is contrary to the constitution and uniform practice of the Presbyterian Church in the United States for any ecclesiastical judicatory to appoint a commission to determine judicially any case whatever.'

"This resolution presents two questions for consideration, one of principle, the other of fact. First, Is it contrary to the constitution of the Presbyterian Church in the United States for its judicatories to appoint commissions to decide judicially cases which may be brought before them? Secondly, Are such appointments contrary to the uniform practice of our church? Your committee are constrained to answer both these questions in the negative.

"That such appointments are not contrary to the constitution, the committee argue, 1st. Because the power in question is one of the inherent original powers of all primary church courts. 2d. Because there is nothing in our constitution which forbids the exercise of that right.

"It is important in considering this subject, to bear in mind that the constitution is not a grant of powers to our primary church courts, but a limitation, by treaty and stipulations of the exercise of those powers. For example, a presbytery does not derive from the constitution (i. e. from the consent of other presbyteries) its right to ordain; but by adopting the constitution it has bound itself to exercise its inherent right of ordination only under certain conditions. Were it not for its voluntary contract with other presbyteries, it might ordain any man who, in its judgment, had the requisite qualifications for the ministry. It has however, agreed not to ordain any candidate for that office, who has not studied theology for at least two years; who cannot read Greek and Hebrew; and who has not had a liberal education. The same remark might be made with regard to other cases, showing that the constitution does not confer power on our primary bodies, but is of the nature of a treaty binding and guiding them in the exercise of the powers which they derive from the great Head of the Church. This being the case, all that is necessary to determine whether the power to act by com-

mission belongs to our primary courts, is to ascertain whether such power naturally belongs to them; and whether, if it does originally pertain to them, they have by adopting the constitution removed its exercise.

“That the power in question does inhere in our primary church courts, may be inferred first, from their nature. It is a generally recognised principle that inherent, as opposed to delegated powers, may be exercised either by those in whom they inhere, or by their representatives. The powers inherent in the people, they may exercise themselves, or delegate to those whom they choose to act in their stead. We can see nothing in the Word of God, nor in the principles on which such bodies are constituted, which would forbid any presbytery or synod, if independant or untrammelled by treaty stipulations with other similar bodies, delegating their powers to a committee of their own number to act in their name, and subject to their review and control. Secondly. We infer that the power in question does belong originally to primary church courts from universal consent. It is an undeniable fact that presbyteries and synods, when not constrained by special enactments, have in all countries where Presbyterianism has existed, acted on the assumption that they possessed the right of acting by commissions. It is on the principle that a presbytery may delegate its powers, our presbyteries are still in the habit of commissioning one or more ministers to organize churches, ordain elders and perform other similar acts.

“If then it be admitted that the right to act by commissions did belong to presbyteries and synods, were it not for the provisions of the constitution, the question arises, whether the constitution does forbid the exercise of this right.

“In answer to this question it may be remarked, that to deprive our judicatories of an original and important right, something more than mere implication is, in all ordinary cases, necessary. No one however pretends that there is any express prohibition of the exercise of the power in question, contained in the constitution. 2. No fair inference in favour of such prohibition can be drawn from the mere silence of the constitution. As the power is not derived from the constitution it is not necessary that it should be there recorded. As far as we recollect, the Westminster Directory is equally silent on this subject, yet it is



admitted that under that instrument church courts freely exercised this power.

“3. Nor can it be inferred that the constitution tacitly prohibits the exercise of this right, from the fact that it always treats of certain acts as being the acts of a presbytery or synod. An act does not cease to be a presbyterial act when performed by a committee in the name and by the authority of the presbytery. Even the ordinary process of reviewing records, is performed not by the whole presbytery or synod, but by a committee in their name and under their sanction. And the executive acts of ordination and installation, when performed by a committee are still presbyterial acts. Nothing was more common in the early portions of our history, than for our presbyteries to ordain by a committee. And yet our fathers did not deny that ordination was a presbyterial act. It cannot therefore be inferred from the fact that the constitution recognizes certain acts as the acts of presbyteries and synods, that those acts may not be legitimately performed by a commission appointed for that purpose. Such commission is by delegation, and *pro hac vice*, the presbytery or synod. The body virtually resolves itself into a committee to meet at a certain time and place for a specific purpose.

“On these grounds your committee rest the conclusion that it is not contrary to the constitution of our church that our primary church courts should appoint a commission to determine judicially any case that may come before them.

“As to the second point embraced in the resolution under consideration, viz: whether such appointments are contrary to the uniform practice of the Presbyterian Church in the United States, it may be remarked, 1. That it is well known that the original Synod of Philadelphia, the Synod of New York, and the united Synod of New York and Philadelphia, from the original institution of the first mentioned body in 1716, to the formation of the General Assembly in 1788, did each, during their several periods of existence, annually appoint a commission with full synodical powers. This commission sometimes consisted of a definite number of members named for that purpose, and at others any member of the synod who chose to attend was recognized as a member.

“There is therefore no principle better sanctioned by long

continued usage in our church, than the right of a synod to act by a commission in adjudicating any case that may come before them.

"2. This however is a small part of the evidence which bears on this subject. Not only did the judicatories above mentioned annually appoint a commission with full powers for general purposes, but the original Presbytery of Philadelphia, the Synod of Philadelphia, the Synod of New York, and the united Synod of New York and Philadelphia, were uniformly in the habit of appointing special committees with full powers (i. e. commissions,) to act in their name and with their authority, in any matter, executive or judicial. The Assembly would be fatigued by the citation of all the cases on record bearing on this subject. The following may be deemed sufficient.

"In 1713 a committee was appointed by the Presbytery of Philadelphia for the examination of Mr. Witherspoon, and if satisfied as to his qualifications, they were authorized to proceed to his ordination and settlement. Records, p. 32. In 1714 a similar committee was appointed by the presbytery for the examination and ordination of Mr. H. Evans. In 1715, two other candidates were ordained in the same manner. pp. 36 37. In 1716, two more. p. 43. In all these and in many similar cases subsequently recorded, the committees appointed for the purpose were invested with full presbyterial powers to judge of the qualifications of the candidate, to determine whether he should be ordained or not, and if they saw fit, actually to ordain. In most cases the reports made by them show that they did ordain, in others they say, that they declined to proceed on account of the incompetency of the candidate, or for some other sufficient reason.

"In 1717, a committee was sent to New Castle, Delaware, 'to receive and audit the reasons of the people of New Castle against the removal of Mr. Anderson, (their pastor,) to New York, or to any other place.' And 'it was farther ordered, that the said committee do fully determine in that affair.' p. 47. The following year they reported that 'they had transported Mr. Anderson to New York, having had power lodged in them by the Synod to determine that affair.' p. 49.

"In 1723 a committee was appointed to act in the name and with the full power of the synod, in a conference with the Con-

necticut ministers in relation to certain difficulties in the congregation of New York, arising out of the interference of the two bodies. p. 75.

“In 1720 it was overtured that a committee be sent to Rehoboth with full power from the synod to act in their name and by their authority in the affair between Mr. Clement and the people, and that Mr. C. be suspended from the exercise of his ministry, until the determination of the committee. The overture was carried in the affirmative, *nemine contradicente*.” p. 60. At that time therefore, there was not one member of the body who questioned the right of the synod to act by committee in judicial cases. Again, it is said in the Record, ‘The synod having received letters from Snowhill, by way of complaint against Mr. D. Davis, have appointed Mr. McNish (and six others,) or any three of them, to be a committee to go to Snowhill, with full power to hear, examine, and determine about the complaints made or to be made against said Mr. Davis.’

“In 1722, a committee was appointed to attend at Fairfield, N. J., with full power to restore a suspended minister, unless they saw a sufficient reason to the contrary. p. 71.

“In 1724, a committee reported that they had not removed the suspension from Mr. Walton. p. 76. In 1726, difficulties having occurred in the church at Newark, N. J., a committee was appointed to visit that place with full power of the synod in all matters that may come before them in respect to that congregation, and to bring an account of what they do to the next synod. p. 83.

“In 1727, a committee was sent to New York to accommodate differences in the church there, ‘and to receive Mr. Pemberton as a member of the synod, or not as they should see cause.’ p. 85. In 1731, a committee was sent to Goshen, to hear and determine matters of dispute in that congregation, ‘with full powers.’

“In 1734, an appeal from the Presbytery of Donegal was presented to synod, and by them referred to a committee to meet at Nottingham, ‘with full power to hear said appeal, and to determine it by authority of synod, they bringing an account of their proceedings therein to the next synod. And the synod do also empower the said committee to hear any matter . . . that shall be brought before them by the said John Kirkpatrick and John Moor, (the appellants,) with relation to the affair afore-

said, and authoritatively to determine the same; appointing also that if either party do appeal from the determination of the committee, they shall enter their appeal immediately, that it may be finally determined by the next synod.' p. 107.

"In 1735, another appeal from the same presbytery was referred to a committee to meet at ———— 'and determine the business.' p. 119. In the same year the two presbyteries of Philadelphia and East Jersey were appointed a committee to try the case of Rev. Mr. Morgan. p. 130. In 1735, a committee with full powers was sent to New York. p. 254. In 1751, a committee was sent to Jamaica, L. I., with authority to decide whether the pastor, Mr. Bostwick, should be removed to New York. p. 206. In 1759, an appeal from the Presbytery of New York was referred to a committee at Princeton, any seven of whom to be a quorum to try the matter. p. 312. A similar committee was sent to Chesnut Level in 1762. In 1764, the synod decided that the censure inflicted by a committee was inadequate to the crimes contained in their charge. p. 338. In 1764, the synod say, in reference to an appeal from New Castle presbytery, 'As this matter cannot be issued here, we appoint (thirteen members) a committee to hear and try the merits of the case, and to issue the whole affair, and to take what methods they may think proper in relation thereto.' p. 340. In 1765, two appeals from the Presbytery of Donegal were presented, 'and the synod,' it is said, 'considering the impossibility of determining the said affairs at present, have appointed a committee to issue and determine both matters.' p. 360.

"In 1766, a similar case occurred; an appeal from the Presbytery of Suffolk was referred to a committee 'to try and issue the whole affair.' p. 360.

"From all these cases it is apparent that from the beginning, the right has been claimed and exercised by our primary courts of appointing committees with full powers, (i. e. commissions) to act in their name and authority, in all kinds of cases, executive and judicial.

"Though from the altered circumstances of the church, and the great increase in the number of presbyteries, this mode of action has been less necessary and therefore less common, since the adoption of the present constitution it has never been renounced, and, as far as known to your committee, never con-

demned by the Assembly. On the contrary, in the remarkable case in the Synod of Kentucky, it received the sanction of the Assembly, in 1809. It is well known that the Cumberland Presbytery had, for some time, persisted in licensing and ordaining men who had not received a liberal education, and who refused to adopt the Confession of Faith. These proceedings were brought before the Synod of Kentucky, in 1805, by a review of the records of that presbytery. But as the synod had not sufficient data on which to act; as the case did not admit of delay, they appointed a commission consisting of ten ministers and six elders, 'vested with full synodical powers, to confer with the members of the Cumberland Presbytery, and to adjudicate on their presbyterial proceedings.' Much doubt was expressed in the Assembly of 1807, of the regularity of the proceedings of this commission; but as far as can be learned from the letter from the Assembly to the synod, the former body did not deny the right of the synod to appoint a commission. The Assembly requested the synod to review their acts in question, and demand that the licentiates of the presbytery should be re-examined, and in approving the action of the commission in suspending ministers without trial, who had been irregularly ordained. The synod having reviewed all proceedings in this whole matter, and re-affirmed their decisions in relation to it, sent up their explanation and vindication, to the Assembly; which did not reach that body, however, till 1809. The action of the synod was in that year sustained without a dissenting voice, and the Assembly declared the synod entitled to the thanks of the whole church for the firmness and zeal with which they had acted. See chap. ix. of Dr. Davidson's instructive and interesting History of the Presbyterian Church in Kentucky.

"In view therefore of the original rights of our judicatories, of the long continued practice of the church, and of the great value of the right, on due occasions, of acting by commissions, the hope is respectfully expressed that the Assembly may do nothing which may have the effect of calling that right into question."

A motion was, in the first instance, made to adopt this report. But that motion was subsequently withdrawn, with a view to introduce a resolution for the indefinite postponement of the resolution referred by the last Assembly to the consideration of the committee. This was the disposition of the subject proposed

and advocated by those who were in favour of the doctrine presented in the report. The resolution referred by the Assembly of 1846, declared it to be contrary to the constitution and uniform practice of the Presbyterian church in the United States, to decide judicially by commission any case whatever. The rejection of that resolution, or its indefinite postponement, was a refusal on the part of the Assembly to deny this right to our primary courts. This was all the friends of the report wished, and the motion for indefinite postponement was accordingly made by the chairman of the committee. And this was the disposition ultimately made by common consent. The debate was interrupted by a motion for the indefinite postponement of the whole subject.

There was no opportunity afforded for testing the real sense of the house, but we have little doubt that a decided majority was in favour of the doctrine that our primary courts have the right to act by commission in any case that may come before them. The objections urged against this doctrine resolve themselves into two. First, that the constitution makes no mention of such a power. Secondly, that its exercise is liable to abuse.

The first of these objections rests on the radically false principle, combated in the report, that our courts get their powers from the constitution, a principle inconsistent with the essential doctrines of presbyterianism. We hold that our courts get their powers from the head of the church. He has instituted a government. He has determined the nature and limits of the powers to be exercised by church courts. A constitution is and can be nothing but a written agreement between certain judicatories consenting to act together, as to the conditions on which they will exercise the powers given them from above. Now according to our confession of faith, "It belongeth to synods and councils, ministerially, to determine controversies of faith, and cases of conscience; to set down rules and directions for the better ordering of public worship of God, and the government of his church; to receive complaints in cases of mal-administration, and authoritatively to determine the same." That is, by the word of God, church courts have inherently certain legislative, judicial, executive powers. These powers inhere in them, just as by the gift of God, similar powers inhere in the community. And if they belong to our courts, it follows they can exercise them, in

any way not inconsistent with their nature and design, and the limitations of the word of God, or their own voluntary agreement. Whether a presbytery shall ordain or instal in full session, or by a commission, is a matter left entirely to its discretion. It is responsible to God for the exercise of this power, and also to its associate presbyteries. But that it has no right, in itself considered, to exercise its powers except in full session, seems to us a most extraordinary assumption. All analogy is certainly against it. The people delegate the powers which inhere in them, to be exercised by representatives acting in their name, and by their authority. So do kings, so do parents. Why then may not primary church courts? All usage is against it, the usage of the continental presbyterian church; the usage of the church of Scotland; the usage of our own church from its very foundation, before and since the adoption of the present constitution. The presbytery of Hanover, in Virginia, sent a commission to ordain men in Kentucky, and one venerable father on the floor of the Assembly, was understood to say that he himself was ordained in that way; and another member said that it was not two years since the presbytery of Susquehanna, acted in an important case, by a commission. We have therefore, scripture, analogy, and usage in favour of the doctrine that certain powers inhere in our primary church courts, which powers they may exercise either directly, or by commission, subject to the limitations laid down in the constitution.

It was the neglect or oversight of this last qualifying cause that gave rise to most of the objections to the report urged under the second head mentioned above. The power was deemed liable to great abuse, because it was supposed that it was unlimited; that if a presbytery or synod had the right to act by a commission, it would have the right to delegate its whole power to a single member. But no such doctrine was contended for. As the constitution requires that a presbytery should consist of at least three ministers, and a synod of at least seven, it would be a direct violation of that agreement for a presbytery or synod to give presbyterial or synodical powers to any commission consisting of less than a quorum of their own bodies. What would be the use of the provision that not less than three ministers can constitute a presbytery, if those three could meet and devolve their whole power upon a single minister or elder? It is obvious

therefore that no commission of a presbytery, if clothed with presbyterial powers can consist of less than a quorum of presbytery; and no commission of Synod can constitutionally consist of less than a quorum of that body. This single consideration is an answer to the great majority of the arguments drawn from the supposed liability of the right in question to be abused. Another answer, however; is drawn from experience. The right to act by commission has been exercised by all presbyterian churches, and by our own for a long series of years. There is not a single case upon our records of the abuse of this power. There is not a single instance of complaint of injustice, unfairness, or injury arising from this source. The prediction, therefore, of such evils, in the face of an opposing experience so diversified and so long continued, cannot be entitled to much consideration. If the principles of presbyterianism can be learned from the practice of all presbyterian churches, it is most unreasonable to denounce the right in question as anti-presbyterian. The innovation is all on the other side. The encroachment is on the part of the Assembly, and against the lower courts; if the ground should be assumed by the former that the latter have not a right which from time immemorial they have claimed and exercised.

The strict construction of the constitution for which some of the opponents of the report contended, would if consistently carried out, effectually tie up the hands of all our church courts. Where do we find in the constitution the explicit recognition of the right to appoint stated clerks, committees of review, boards of education, of domestic and foreign missions; directors of seminaries, &c., &c.? If our church courts have no powers but those laid down in the constitution, we shall have to give up all the general institutions of the church, and many of our most familiar modes of action.

If the right in question were not one clearly recognised in the past history of our church, and one of real value, it would not be worth contending for. But the single instance of the Synod of Kentucky, in the case of the Cumberland Presbytery, shows that there may be cases, in which it is of the highest importance that this right should be called into exercise. And cases are constantly occurring, in which it is impossible to get a large presbytery, or a whole synod, to devote the time and attention requisite for their due consideration and decision. In such cases



a commission of a third or a fourth of the whole body, might be sent to investigate, deliberate and decide, with obvious advantage to all the parties concerned. If the parties are satisfied, the matter ends there. If not, an appeal is open to the appointing body, before whom the matter comes with all the advantage of a previous protracted and careful examination. In this way the ends of justice are better answered, and the time of our church courts is saved. We are, therefore, glad that the Assembly refused, by indefinitely postponing the whole subject, to sanction the resolution denying to our primary courts the rights in question.

It is proper to mention that the committee, consisting of Drs. Hodge, McFarland, Lindsly, McDowell, and Musgrave, were, with the exception of Dr. Lindsly, unanimous in sanctioning the report submitted to the Assembly.

#### *The McQueen Case.*

The Rev. Archibald McQueen having married the sister of his deceased wife, was for that offence suspended by the Fayetteville presbytery from the communion of the church, and from the exercise of the office of the ministry. In 1842 this sentence was confirmed by the decision of the General Assembly. Having submitted to the sentence of suspension for about three years, he applied to be restored to the privileges of the church and to the exercise of his ministry. The presbytery decided not to restore him. Of this decision he complained to the Assembly of 1845, and at the same time memorialized that body praying them to decree his restoration. In the minutes of that Assembly, p. 32, is found the following record in relation to this subject. "The second order of the day was taken up, viz., the complaint and memorial of Archibald McQueen against the Presbytery of Fayetteville; and on motion, the Rev. Mr. Goldsmith was appointed to manage the case of Mr. McQueen in his absence, and agreeably to his request.

The moderator having reminded the members that they were about to sit in a judicial capacity, the papers in the case were read in due order, and the original parties were fully heard. After which the following resolution was on motion adopted, viz: *Resolved*, That the prayer of the memorialist be granted, so far as that the General Assembly recommend the presbytery of

Fayetteville to reconsider their decision in the case of Rev. Archibald McQueen; and, if in their judgment it should appear conducive to the peace of the church, and the promotion of religion in the region around them, to restore Mr. McQueen to the communion of the church, and to the exercise of the functions of the gospel ministry, on the ground that in his case, the ends of discipline are attained, by the operation of the sentence under which Mr. McQueen has been lying for a period of three years."

The presbytery of Fayetteville referred the matter to the Assembly of 1846, but the reference was dismissed, by a vote for its indefinite postponement. The presbytery then proceeded to take action in the case, and restored Mr. McQueen to the communion of the church and to the exercise of his ministry. Against this decision Rev. Colin McIver and others complained and appealed to the Synod of North Carolina. The synod sustained the action of the presbytery. Mr. McIver and others complained of this decision of the synod to the General Assembly.

The judicial committee having reported the case to be ready for hearing, it was made the order of the day for Tuesday afternoon. When that hour arrived the case was called up, and the moderator, in a very impressive address, reminded the Assembly that they were about to sit in a judicial capacity. The papers in the case were then read, in part. When the decision of the synod against which the complaint was entered had been read, a motion was made to dismiss the case, on the ground that no complaint could lie; the matter having been decided by a former Assembly. This motion was after considerable debate, laid aside in order that the complaint itself and the reasons on which it was grounded, should be read.

The motion was then made to dismiss the case, by the introduction of the following preamble and resolution, viz:

"Whereas, The Rev. Archibald McQueen prosecuted a complaint before the Assembly of 1845, against the Presbytery of Fayetteville for refusing to restore him to the exercise of the gospel ministry, and did at the same time memorialize that Assembly to decree his restoration; and whereas that Assembly did take up and judicially entertain the said complaint, and pronounced judgment in the case by authorizing and recommending the presbytery to restore the said Archibald McQueen to the gospel ministry, provided that in the judgment of the presbytery

it was wise so to do, and whereas the presbytery in the exercise of the discretion thus confided to them did restore Mr. McQueen, Therefore,

“*Resolved*, That the complaint of the Rev. Colin McIver and others against the Synod of North Carolina for having sustained the action of the Presbytery of Fayetteville in restoring the said Archibald McQueen, in accordance with the judicial decision of the Assembly of 1845, cannot be entertained by this house, and is hereby dismissed.

“In making this disposition of the above mentioned complaint, this General Assembly wishes it to be distinctly understood, that they do not mean to retract or modify any judgment hitherto expressed by any Assembly respecting the offence for which Mr. McQueen was suspended from the exercise of the gospel ministry. They simply declare that his case cannot be regularly brought before them, by this complaint.”

The above resolution was adopted, ayes 95, noes 53. This vote was not arrived at until Saturday morning at 12 o'clock, the question having been in the meantime debated at great length. The resolution was opposed by Messrs. Gazley, Woodrow, Kerr, Berry, Pryor, Junkin, Mitchell, Johnston. It was advocated by Messrs. Cunningham, Hoge, Janeway, Hamil, Hunt, Hodge.

Those who sustained the resolution, argued substantially thus: In the first place the question which this Assembly is called upon to decide, is the precise question decided by the Assembly of 1845. That question is, the propriety of restoring Mr. McQueen to the ministry. The Assembly of 1845 decided he ought to be restored; this Assembly is called upon to say he ought not to be restored. The former said, the ends of discipline in his case were answered; we are called upon to say, they have not been attained. It was strongly argued on the other side, that if the Assembly of 1845 could reverse the decision of the Assembly of 1842, this Assembly can reverse that of 1845. The Assembly of '45 did not reverse the decision of that of '42. The one Assembly said Mr. McQueen ought to be suspended from the ministry; the other, that having suffered that suspension for more than three years, he should be restored. To reverse a decision is to declare it erroneous and to render it inoperative. The Assembly of '45 did not sit in judgment on the decision of the

Assembly of '42, and reverse it; the sentence of suspension was not pronounced erroneous, or invalid; the punishment was declared to be sufficient. It was never, we suspect before argued, that to restore a suspended minister or church member, is to sit in judgment on the sentence of suspension. The questions, therefore decided by the Assemblies of 1842 and 1845, were entirely different. In the present case the question is precisely the same. The thing complained of is the restoration of Mr. McQueen; the very thing which the Assembly of 1845 decided should be done. It is that decision which we are called upon to pronounce unconstitutional and wrong.

In the second place, the decision of this case in 1845 was a judicial decision, and being the decision of the court of last resort, is of necessity final. It requires no argument to show that the decision of one Assembly cannot be reviewed by a subsequent Assembly. There cannot be a remedy after the last, a court higher than the highest. One Assembly may indeed decide one case one way, and a following Assembly decide a similar case in another way. One may act on the principle that the marriage of a man with his wife's sister is null and void, and that therefore separation must precede restoration, and on this ground refuse to restore A. B. suffering under a sentence of suspension for such a marriage. Another Assembly may act on the principle that the separation of the parties to such a marriage is not an indispensable condition to a restoration to church privileges, and on this ground decide to restore C. D. to church fellowship. In this way one Assembly may go counter to the decision of another Assembly; but it never can be contended that one Assembly can review the judicial decision of a previous Assembly.

All therefore that can be required in the present case, is to show that the decision of 1845 in reference to the restoration of Mr. McQueen was really a judicial decision. It is readily conceded that if Mr. McQueen had merely memorialized the General Assembly to take action in his case, and the Assembly had proceeded to recommend to the presbytery to restore him, such a recommendation would be no bar to our entertaining the present complaint. One Assembly is not bound by the opinions or recommendations of another. Neither is any judicial decision binding as a precedent, as has already been remarked. But a case being once judicially decided by one Assembly, the decision

is final. The only question, therefore, is whether the Assembly did decide judicially in favour of the restoration of McQueen.

A judicial decision, in the sense here intended, is the judgment of a court in the decision of a trial. McQueen complained of the presbytery of Fayetteville for refusing to restore him to the ministry. The Assembly of 1845 entertained that complaint. They resolved themselves into a court for that purpose. The papers were read in order. The parties were fully heard. The court then proceeded to pronounce its judgment; which was that the ends of discipline had in his case been answered, and that the presbytery ought to restore him provided, in their judgment it was right to do so. This was in form and effect a judicial decision. It was the judgment of a court in a case regularly tried. Our book teaches us that a complaint may be sustained in whole or in part; absolutely and conditionally; on a condition to be performed by the complainant or by some other party. The Assembly might have restored Mr. McQueen on some conditions to be performed by himself—as for example, that he put away his wife, or that he make a public confession before the presbytery. No one can question that on the performance of such condition, the judgment of the Assembly, would have been final. The Assembly, however, wisely made the restoration dependent on the judgment of the presbytery, as to its propriety. The point really decided by the Assembly was that temporary suspension is an adequate punishment for the offence for which Mr. McQueen had been condemned. But whether that suspension had been, in his case, sufficiently protracted; whether it had wrought its proper effect upon him, or satisfied the demands of the Christian community of which he was a member, were points on which the presbytery was the only competent judge. The restoration, therefore, was made conditional on the judgment of the presbytery as to these points. As soon as the presbytery declared that, in their judgment, the interests of religion and the peace of the church would be promoted by his restoration, the only condition attached to his restoration was fulfilled, and the decision became final.

The objections urged on the other side, were principally these two: first, that the act of the Assembly of 1845, was a mere recommendation, and not a judicial decision. And secondly, that even if a judicial decision it was null and void, because contrary to the

constitution of the church. The answer to the former of these objections is contained in the records of the Assembly, which show that the case was strictly a judicial one; that it was so regarded by the Assembly, and so treated and decided.

The answer to the second objection is two-fold. First, admitting the allegation that the decision was unconstitutional, it is still final, and cannot be reviewed because the decision of our highest court. It is not denied that there are numerous decisions of a like kind, upon our records; and yet no one pretends that these decisions can be brought up and re-examined by this or any subsequent General Assembly. It often happens that the decisions of a supreme court are erroneous or unconstitutional. And when so considered they ought to have no weight in the determination of similar cases, but they are not the less final and irreversible for all that.

But in the second place, it is denied that the decision in question was unconstitutional. The allegation is, that the constitution clearly declares that the marriage of a man with his deceased wife's sister, is incestuous, and therefore null and void in the sight of God and the church, and consequently that the parties to such a marriage cannot be admitted or restored to the privileges of the church, unless the marriage relation between them be dissolved.

The answer to this is, in the first place, that the word incest, as the word man-slaughter, and others of a similar kind, is a term of wide import, embracing under it acts of very different degrees of moral turpitude. Man-slaughter may vary from justifiable homicide to murder in the first degree. And incest may vary from the lowest to the highest degree, according to the degree of relationship between the parties. It is to confound all our ideas of right and wrong, to shock the moral convictions of all sane men, to maintain that there is no difference between marriage within the prohibited degrees, when those degrees extend from a niece to a parent. No man believes this; and our Confession of Faith cannot be understood to teach any such doctrine. Admitting, therefore, that the Confession does pronounce the marriage in question incestuous, in the sense of being within the degrees of consanguinity and affinity prohibited in the word of God, it does not follow that no distinction is to be made between such a marriage and one between brother and sister, or parent and

child. Such a distinction is made in scripture, and in the nature of man. It is made by every human being, and should be made by the church, unless the church means to bring herself into conflict with the Bible and with the instinctive moral sentiments of men.

In the second place, the interpretation of the Confession insisted upon on the other side, is contrary to the uniform action of our highest judicatory for more than a hundred years. While the old synod and the General Assembly have repeatedly censured the marriage in question, they have never to the best of our knowledge, required the parties to separate as a condition of their restoration to church membership. They have, however, repeatedly decided just the reverse. See Minutes of the Assembly for 1810, &c.\* It cannot be just to enforce an interpretation of the constitution contrary to the established action of the church, from a period long anterior to the date of the admission of our oldest living members. The church has in this respect always recognised the obvious distinction between what is unlawful and what is invalid, any thing contrary to the rule of duty laid down in the scriptures, is unlawful; but many engagements and contracts which men ought not to form, are, when formed, nevertheless binding. It is unlawful, i. e. contrary to the rule contained in scripture, for a Christian to marry a pagan, but such a marriage would be valid. In the same sense, it is unlawful for a man to marry a member of his own household, i. e. any one so connected with him, as to render it proper, on the ground of that relationship, that they should live together as members of the same

\* We cite this case as showing that the ground now taken was not only that maintained by our highest judicatory as far back as 1810; but was the ground uniformly taken by the church in all such cases.

“A reference from Bethel Church, South Carolina, was overtured, requesting the decision of the Assembly in relation to a case in which a person had married the sister of his deceased wife. On motion,

“*Resolved*, That this reference be answered by the following decision of the Assembly of 1804. ‘The Assembly having given repeated decisions on similar cases, cannot advise to annul such marriages, or pronounce them in such a degree unlawful as that the parties, if otherwise worthy, should be debarred from the privileges of the church. But as great diversity of opinion appears to exist on such questions in different parts of the church, so that no absolute rule can be enjoined with regard to them, that shall be universally binding and consistent with the peace of the church; and as the cases in question are esteemed to be doubtful, the Assembly is constrained to leave it to the discretion of the inferior judicatories under their care, to act according to their own best light, and the circumstances in which they find themselves placed. See *Volume of Minutes of the General Assembly, published by the Board of Publication*, pp, 456, 457.

family. This is the obvious rule laid down in scripture; but such a marriage *may* nevertheless be valid; and is valid, unless the relationship be one of those in reference to which separation of the parties is decreed in the word of God.

In the third place, the interpretation of the constitution, now contended for on the other side, is contrary to the practice of its very advocates. As members either of presbyteries, synods, or of the General Assembly, they are in constant communion with parties living in the relation in which McQueen and his wife stand to each other. It is not for one moment to be believed that these brethren would or could sit quietly, if within the bounds of their own presbyteries, church members were allowed to enjoy their privileges undisturbed, who were notorious drunkards, or thieves, or who, being brothers and sisters, had intermarried. And yet, if we are correctly informed, within the bounds of this very presbytery of Fayetteville, there is more than one such case. And sure we are that such cases are numerous in all parts of our church, where such marriages are not forbidden by the law of the land. The only consistent course, therefore, is the one on which our Assembly has so long acted. That is, to censure such marriages, whenever brought before them judicially, but not to insist on the separation of the parties. It was, therefore, very proper in the Assembly of 1842, to sanction the action of the presbytery of Fayetteville, in suspending Mr. McQueen; but it would be contrary to our long established usage for this Assembly to insist that he must repudiate his wife.

In the fourth place, the interpretation in question, is contrary to the Word of God. It supposes that all violations of the general law, "none of you shall marry any who is near of kin to him," are to be treated just alike; whereas the Bible makes a great distinction between the cases. For one offence against that law, the parties were to be burnt to death; for another, they were to be stoned; for another, excommunicated; for another, they were to die childless. These penalties being part of the judicial system of the Hebrews, are no longer binding. But the offences to which they are attached, being offences against a law having its foundation in the permanent relations of men, are offences still. And the fact that they were visited by divine appointment, with such different degrees of punishment, shows that they are not to be confounded.



The decision of the Assembly of 1845, that a man who had married his deceased wife's sister might be restored to the privileges of the church, without repudiating his wife, is not contrary to the constitution, as that instrument has been interpreted for more than a hundred years, and as understood in the light of God's own word. All this, however, is really foreign to the present question, which is simply this, whether a man restored to the ministry by one Assembly, can be again suspended on the ground that such restoration was unwise, injurious, or unconstitutional? Mr. McQueen was conditionally restored by the Assembly of 1845, and the condition having been fulfilled by the action of his presbytery, the decision became final.

It is due to the complete history of the marriage question before this Assembly, to add, that the following resolution was offered by the Rev. Dr. Patterson, viz: *Resolved*, That the General Assembly overture to the presbyteries the following question, viz: Shall that part of the fourth section of the twenty-fourth chapter of the Confession of Faith from 1 to 2, which says, "Nor can any such incestuous marriages ever be made lawful by any law of man, or consent of parties, so as those persons may live together as man and wife," be stricken out? This resolution was urged by the mover and Dr. Hoyt, solely on the ground that the law as it now stands in the book is inconsistent with the practice of the church. The previous question was moved by Mr. Hunt, after very little discussion, and the resolution was rejected by a vote of 57 ayes to 89 noes.

A resolution offered by Mr. Berry, reproving, and bearing testimony against, those presbyteries and church sessions which allow the formation of this marriage relation, was also rejected without a division, and by a very large vote.

#### *Case of the Rev. Dr. Scott.*

This case came before the Assembly, in the form of a complaint, by the Rev. James Smylie, against a decision of the Presbytery of Louisiana, acquitting the Rev. Dr. Scott of certain charges affecting his moral and ministerial character, and growing, we believe, out of some political controversy, the merits of which did not appear. The complaint was first laid before the Synod of Mississippi, who requested the complainant, if he could not conscientiously withdraw the complaint, to carry it up to the

General Assembly. The Judicial Committee reported the case as regular, but finding it exceedingly voluminous and perplexed, and after carefully deliberating on the subject, they were unanimously of the opinion that if the case could be disposed of, consistently with the rights of Mr. Smylie, without either remanding or adjudicating on it, all the ends of justice would be gained and the peace of the church promoted. Accordingly, after an interview with Mr. Smylie, who agreed to submit to this course if the Committee and Assembly would assume the responsibility of adopting it, they recommended to the Assembly the following resolution which was adopted, viz :

“*Resolved*, That in view of the representation of the case given in the statement by the Judicial Committee, of the voluminous nature of the testimony, and of the difficulties attending the case, and believing that the interests of the church will be best promoted by adopting the course recommended by the committee, and being willing to assume the responsibility of acting accordingly, this General Assembly, do hereby terminate this unhappy case without any further judicial trial.”

We sincerely rejoice in this termination on every account, and not least, because it restores, without reproach, to his laborious and important work, in that great and needy field, a man whom we regard as an eminently able and faithful minister of the gospel.

#### *Board of Foreign Missions.*

The annual report was laid before the Assembly by the Rev. J. C. Lowrie. It mentions the death of Rev. Joshua L. Wilson, D. D., a member of the Board, and the Rev. Thomas Wilson, a missionary in Africa. The receipts of the Board during the year, including a balance of \$1,949 35, were \$95,628 69, and the expenditures were \$95,458 36. Many boxes of valuable clothing have been received from female members of different churches. More than 8,000 copies of the *Missionary Chronicle*, and 12,580 copies of the *Foreign Missionary* have been published during the year, besides 15,000 copies of various missionary papers.

During the year, twelve ordained missionaries, of whom seven were married, were sent to the several stations of the Board, besides a teacher, steward, and carpenter to the Choctaw Indians.

The Choctaw Mission consists of seven male and five female members. The Spencer Academy, supported by the Choctaw Nation and the Indian Department of our Government, is now under the care of the Board; and notwithstanding a severe visitation of sickness, is now in a condition highly satisfactory and promising. The number of pupils at the beginning of the session was eighty. The Creek and Seminole Mission is composed of four labourers, a church of fourteen native members, and a school of forty-two pupils, male and female. This mission is prosperous both as regards attention to the preaching of the gospel and progress on the part of the pupils. Two large manual labour boarding schools are to be founded by the Indian Department of Government, one of which will be under the care of the Board.

The Iowa and Sac Mission has five labourers with a school of thirty scholars. Intemperance fostered by their proximity to the white settlements has been a dreadful scourge to these Indians. Among the Omahaw and Otoe Indians there are three missionaries. These Indians are in a sadly depressed condition; but on that very account should interest our Christian sympathies. The Chippewa and Ottawa Mission, with only two labourers is making steady progress. The church numbers twenty native members, and the school fifty-eight children. The mission on Western Africa numbers eight labourers, divided into two stations, with their churches and schools.

In Northern India there are stations at Lodiana, Saharunpur, Sabathu, Futtehgurh, Mynpory, Agra, and Allahabad. At these stations there are thirty-five missionaries from our own church and two from Germany, together with seventeen native labourers, of whom two are ordained ministers, and two licentiates. The whole number of pupils reported is near 900, at various stages of advancement. There were printed at the Lodiana Mission Press, during the year, 6,756,000 pages and at the Allahabad press 6,318,400 pages.

In Siam there are three missionaries, a wide door of entrance, and fields white unto the harvest. The China Mission has stations at Canton, Amoy and Ningpo, with seventeen missionaries of whom five are females. These missions have made remarkable progress, for the period of their establishment, especially the two last. The printing with metallic types has

been successfully conducted at Ningpo, and 1,210,000 pages have been issued during the year. The schools are prosperous and promising. Preaching is done to the extent of their ability. At the northern stations the missionaries are in high favour with the highest Mandarins, which gives them great advantages in their intercourse with the lower classes.

To the Evangelical Missionary Societies in Papal Europe, the Board have sent upwards of \$3,000 during the year. They have also a Missionary to the Jews in the city of New York. The committee to whom this report was referred presented the following resolutions to the Assembly which were unanimously adopted, viz :

“ 1. *Resolved*, That the Report of the Board of Foreign Missions be approved, and be referred to the Executive Committee for publication and distribution among the churches.

“ 2. *Resolved*, That the General Assembly have abundant ground of encouragement and devout thanksgiving to the Great Head of the Church, in the evidence of success which has attended the operations of the Board during the ecclesiastical year.

“ 3. *Resolved*, That as God in his providence is opening many effectual doors and spreading out before our Board of Foreign Missions many interesting and extensive fields, and inviting them to enter and take possession, it is the imperative duty of the Church, with combined and more vigorous efforts to prosecute the work in which we have embarked.

“ 4. *Resolved*, That as there are adequate pecuniary resources in the churches under the care of the General Assembly, if called forth, to meet all the engagements of the Board, it be recommended to them to extend the sphere of their operations as far as practicable in strengthening existing stations and in establishing new ones.

“ 5. *Resolved*, That whilst it is our duty to labour and pray with increased energy and zeal for the conversion of the heathen, the Assembly recognizes its obligation to increase its efforts in behalf of Papal Europe, as well as the seed of Abraham, remembering that all the ‘kingdoms of this world are to become the kingdoms of our Lord and of his Christ.’

“ 6. *Resolved*, That whilst the Assembly learn with pleasure that there has been a considerable increase in the amount of contributions from the churches to the Board the last year, it is with painful regret they learn that a large proportion of our churches have contributed nothing to this important object, and that some of our churches, instead of sustaining their own board, direct their contributions through other and foreign channels.

“ 7. *Resolved*, That all the churches under the care of this General Assembly are expected, as a matter of duty and consistency, to contribute, systematically and annually, to the funds of this Board.

“ 8. *Resolved*, That it be recommended to the Board to adopt measures to secure the object referred to in the preceding resolution, by a wise system of agency or otherwise, and that it be recommended to the Presbyteries efficiently to co-operate in this matter.

“9. *Resolved*, That recognizing our dependence upon the blessing of God and the Holy Spirit for the success of this great enterprise, for the conversion of the world, it be earnestly recommended to all the churches under our care to cultivate the spirit of prayer, and more earnestly and unitedly to seek the divine blessing upon the efforts of this Board, as well as of other institutions, especially in the Monthly Concert.”

*Board of Domestic Missions.*

The report of this Board was read by the corresponding Secretary, Dr. W. A. McDowell. The whole number of Missionaries in commission during the year has been 431. The number of feeble congregations and missionary stations supplied has exceeded 1200. Not less than seventy new churches have been organized, and nearly one hundred houses of worship have been erected. The amount of funds reported including the balances at the beginning and end of the year, is \$63,522.59. In *Church extension*, the Board have aided in building forty-one houses of worship and made appropriations to thirteen congregations to relieve them from pressing debts. The condition of all these grants has been such that in every case the houses have *been finished* and the congregations left free from debt. The whole sum contributed for this department was \$4,596.85.

The committee to whom this Report was referred brought in the following Resolutions which were unanimously adopted, viz :

“1. That the Report be approved, and published under the direction of the Board; also that the Board furnish the Stated Clerk of the Assembly with an abstract to be published in the Appendix to the Minutes.

“2. That the increase during the past year, in the amount of pecuniary contributions, in the number of missionaries commissioned, and in the good results of their labour in various respects, has been such as the Assembly may well recognize with gratitude, and receive as an encouragement to the renewed and more vigorous prosecution of the interests of this important cause.

“3. That, in the judgment of this Assembly the enterprise of Domestic Missions has never stood sufficiently high in the estimation and affection of the American churches. In its relations to the wide extent of our territory, the rapid increase of our population, the efforts that are made to scatter the seeds of error in our new settlements, and the influence which our country is to exert upon the character and destiny of the world, it is the great enterprise which should enlist the sympathies and the active co-operation of the patriot, the philanthropist, and the Christian.

“4. That this Assembly reiterate the testimony of former Assemblies to the vast importance of this object, and calls upon the Synods and Presbyteries to take such measures as may seem to them best calculated to secure the largest possible contributions to the funds of the Board which has this interest in charge.

“5. That in view of the increasing importance and magnitude of this branch of

our benevolent operations, a sermon be delivered on this subject at some convenient time during the sessions of the Assembly.

"6. That the Assembly has heard with pleasure of what has been done by this Board, in its capacity as a Church Extension Committee, and express the hope that the funds placed at their disposal for this object for the coming year will be greatly increased."

At a subsequent period, the following Resolutions were also adopted, viz:

"Resolved, 1. That this Assembly has heard with satisfaction, the sermon preached by the Rev. C. C. Jones, D.D., of Georgia, according to their appointment, on the subject of the religious instruction of the colored population.

"Resolved, 2. That the Assembly regard this subject as one of very great interest and importance, and recognize the goodness of God in opening this field to our ministers and missionaries to so large an extent, and with such cordial approbation from the community.

"Resolved, 3. That the Board of Missions be directed, if it appears to them advisable, to appoint a secretary or general agent from and for the south and southwest, who shall superintend the collection of funds and the location of missionaries, and attend to the other duties of this department, in co-operation with the presbyteries and churches in that section of country."

#### *Board of Education.*

The Annual Report was read by the Rev. C. Van Rensselaer, D.D., the corresponding Secretary. It stated that the number of candidates on the roll during the year was 403, making the whole number from the beginning 1663. Of these thirty-nine had finished their studies, and gone into the field.

The Committee on the Report of the Board of Education recommended the following Resolutions, which were adopted, viz:

"1. Resolved, That this Assembly reiterate their conviction of the importance of ministerial education in its relations to all the enterprises of the church and the conversion of the world.

"2. Resolved, That this Assembly solemnly recognize the Sovereign grace of God, in calling the sons of the Church into the ministry, and also acknowledge the obligations of his church to use all scriptural and proper means to increase the number of candidates, especially by prayer to the Lord of the harvest, ministerial instruction, parental consecration, Christian education, and pecuniary assistance to those who may need it.

"3. Resolved, That it be specially recommended to our ministers and churches, not only to pray for an increase of labourers, but also to remember in their prayers the youth of the church, who have already commenced their preparatory studies, and who are naturally exposed to many temptations which the Spirit of God alone can enable them to resist.

"4. Resolved, That the Presbyteries be enjoined to use unceasing vigilance in the examination of candidates, and to retain a strict pastoral supervision over them,

throughout their entire preparatory course; and that the Board of Education be enjoined to continue the plan of personal visitation and correspondence and to use their best endeavours to promote a high standard of ministerial qualification.

“5. *Resolved*, That the Board of Education exercise the same pastoral care over the candidates for the ministry, who are sustained by the permanent funds of the General Assembly, as over those who are sustained by the annual collections of the churches.

“6. *Resolved*, That the Annual Report be committed to the Board for publication.”

### *Parochial Schools.*

It is a subject of gratulation that we are at last fairly embarked in this great work, and in a way that promises the best attainable efficiency. It is this, more than any thing else, that we have long regarded as the complement of our ecclesiastical organization. We venture to say that the next generation will wonder how the Presbyterian Church could have consented so long, to the unnatural divorce between teaching and preaching, we might say, between teaching our youth in the school-room, and our adult population in the church. We rejoice that the work is now in the vigorous hands of the Board of Education. The able report of the Board, presented by its Corresponding Secretary, Dr. Van Rensselaer, met a hearty approval. From the deep interest excited by the subject and from what we have learned of the doings of the Board since the Assembly, we expect to be able to commence the history of actual operations in this vital work, with our notice of the next General Assembly.

As we have already expressed our views on this subject in giving an account of the discussions of last year, and as our space is in requisition for other purposes, we deem it unnecessary to do more at present than give the report of the Committee to which was referred the report of the Board of Education, on this subject, which was adopted by the Assembly, and is as follows, viz:

“1. *Resolved*, That the report be committed to the Board of Education, in order that it may be printed, and circulated among the churches.

“2. *Resolved*, That this Assembly do hereby express their firm conviction, that the interest of the church and the glory of our Redeemer demand that immediate and strenuous exertions should be made, so far as practicable, by every congregation, to establish within its bounds one or more primary schools, under the care of the session of the church, in which, together with the usual branches of secular learning, the truths and duties of our holy religion shall be assiduously inculcated.

“3. *Resolved*, That this Assembly do hereby earnestly call upon all the Syn-

ods and Presbyteries under their care, to take the subject of Christian education under consideration, and to devise and execute whatever measures they may deem most appropriate for securing the establishment of parochial and Presbyterian schools in our bounds.

"4. *Resolved*, That a committee, consisting of one minister and one ruling elder, be appointed by each Presbytery to collect information as to the number and condition of schools within the bounds of the Presbytery, the number of children under fifteen years of age belonging to their congregations, the state of public opinion in respect to education, the ability of the churches to sustain teachers and build school houses and whatever other statistical information relating to education they may deem important; and that these committees forward their reports to the Board of Education, on or before the first of January, 1848.

"5. *Resolved*, That this whole subject be referred to the Board of Education, and that the Board is hereby authorized to expend whatever moneys are committed to them for that purpose, in aid of the establishment of parochial and Presbyterian schools.

"6. *Resolved*, That it be recommended to the Board of Publication, to make inquiries on the subject of elementary school books, with a view of adapting them, as far as practicable, to a system of religious instruction, and that the Board report on this subject to the next General Assembly."

#### *Board of Publication.*

The Rev. Dr. Jones, Secretary, submitted the annual report from which it appeared that 21 new volumes had been published during the year, embracing 23,500 copies. The sales of books from the beginning of the Board amount to \$145,477, and many donations have been made through private liberality to destitute churches.

The following resolutions were subsequently adopted by the Assembly, viz:

"1. *Resolved*, That the Report be approved, and published under the direction of the officers of the Board.

"2. *Resolved*, That in the opinion of the Assembly the affairs of this Board have been conducted with judgment, energy, and success—calling for the continued and increased confidence of the churches in its operations, as a means of usefulness.

"3. *Resolved*, That the Assembly cordially approves the plan proposed by the Board for circulating its books, and earnestly recommends it to the immediate attention of the churches.

"4. *Resolved*, That the Assembly is highly gratified that the Board has entered upon a system of Colportage, as an agency for the circulation of its books; and while repeating the recommendation of former Assemblies, that funds be raised by Synods and Presbyteries for the establishment of Depositories, owned and managed by themselves, the Assembly would further recommend that they employ, in connexion with these Depositories, the Colporteurs appointed by the Board.

"5. *Resolved*, That the Assembly approves of the charter obtained by the



Board, and orders that in accordance with the terms of the charter, it shall hereafter be known by the name of 'The Presbyterian Board of Publication.'

"6. *Resolved*, That the Assembly also provides in accordance with the requirements of the aforesaid charter, that at the annual meeting of the Board of Publication in the year 1848, on the day when the Board meets to re-organize and elect officers, it shall proceed to elect by ballot, three persons in the room of the three first named of the Trustees of the Presbyterian Board of Publication, incorporated by the aforesaid charter; on the day of the annual meeting in 1849, it shall proceed in like manner to elect three persons in the room of the second three Trustees named in the charter aforesaid; and on the day of the annual meeting in 1850, it shall elect in the same manner three persons in the room of the three remaining Trustees of the aforesaid Board; and thenceforward annually electing three persons in the room of that class which has served three years; provided always, that the same persons shall be re-eligible.

"7. *Resolved*, That the Presbyterian Board of Publication may also, at any of its regular meetings, elect persons to fill vacancies occasioned by death, resignation, or otherwise."

*Foreign Correspondence.—Slavery.*

It is a remarkable and gratifying fact that amidst all the agitation on the subject of slavery, which prevails around us, our church has arrived at such harmony of views, that the question would not have come before the Assembly, if it had not been incidentally introduced in connexion with the letters from the Irish and Scotch churches. These letters, when presented to the house, were referred, unread, to the committee on foreign correspondence. That committee, in due time, reported answers to be adopted by the Assembly. The reading of the foreign letters was then called for. The Moderator, however, decided that the letters having been referred to the committee could not be brought before the house except by a motion to reconsider. That motion was accordingly made, for the purpose of hearing the letters. The house adjourned before any vote was taken. When the subject was resumed, the letters were read by common consent.

The only point which gave rise to any further debate, was that clause in the answers reported by the committee, which expressed the wish that correspondence on the subject of slavery between us and the Irish and Scotch Assemblies, might cease. After discussion, the answer to the letter from Ireland was adopted as reported. The answer to the church of Scotland was modified so as to express the idea that no further communication on our part on this subject was necessary.

The letter from Scotland was dignified and kind, and in most of its sentiments, the great mass of our members, we doubt not, heartily concurred. The Irish letter was of a somewhat different character. The inconsistency between the terms used in different parts of it, was so glaring, that we wonder how it could escape the notice of its authors. To us it would be ludicrous were it not for our respect for the source whence it emanated. It is surprising that a body of grave men should say to another Assembly: "Beloved brethren, we esteem and confide in you as good soldiers of Jesus Christ, we rejoice in your prosperity and usefulness; we should be glad to sit at your feet; but we are constrained to say you are 'man stealers,' and are classed in the scriptures with murderers of fathers and murderers of mothers." This substantially is said by simply bringing together the different parts of this letter.

Even if the moral incongruity of such a character failed to strike them, they must see that it is very strange logic. Both these representations cannot be true. Either we are not Christians, or we are not man stealers and murderers. If they recognize us as Christian brethren, as we hope they do, then for their own sake as well as ours, we hope they will not again call us such hard names.

The reasons which induced the Assembly to express the opinion in respectful terms, that the subject of slavery should be dropt from the future correspondence between us and our foreign brethren, were principally the following. In the first place, we have heard repeatedly what they have to say on the subject, and we have replied fully and explicitly. The points of agreement and disagreement between us have been clearly brought out. They have told us wherein they think us wrong; and what they think is our duty. We have stated to them the principles on which we feel bound to act, and beg to be allowed to be governed in our own difficult circumstances by our own sense of duty. The principal point of difference between us and our Scotch brethren is, that they think we are bound as a church to avow the abolition of slavery to be our immediate object, and to insist on immediate emancipation as an imperative duty. Whereas we conceive that we have no right, as a church, to insist on emancipation as an immediate duty, while we are bound to require of all our members to make suitable provision for the religious education of their slaves; to respect

their parental and marital rights; to render to them that which is just and equal; to recognize their right of property, i. e. to their own lawful acquisitions. We fully believe that this is the gospel method of emancipation; that the immediate and indiscriminate liberation of millions of slaves of a different and inferior race would be unjust, cruel, and disastrous to the whole community. We insist upon it, that there is no middle ground between that which we occupy, and that of the fanatical abolitionists, of whose tender mercies, of whose truthfulness and justice, the Free Church of Scotland has had some slight experience. Our Scotch brethren vainly seek for such middle ground. But they simply pass first to one side and then to the other. They find no intermediate resting place. They say all slaveholding is sinful and immediate emancipation a duty. This is the Garrison and Wright ground. Then they say it is not requisite to exclude slaveholders as such, from the communion of the church. This is our ground. This is the ground of the Bible. Then, of course, slaveholding is not man stealing; it is not necessarily sinful; it is not a thing to be immediately and in all cases renounced. It may be right, or it may be wrong, according to circumstances; and of those circumstances, those concerned must judge, on their responsibility to God. This inconsistency and confusion of ideas, we notice not only in the letter of the General Assembly of the Free Church, but in the speeches of the most eminent members of that body. It is as clear as day to us that they have not turned their minds fairly to this subject, nor studied it out, so as to satisfy even their own minds. They see that the abolitionists are wrong in making slave holding a bar to Christian communion, for that is in direct opposition to scripture; but they do not discriminate between slavery and its separable adjuncts. They seem never to ask themselves, what slavery is, or what it is they denounce as sinful. That one man should have the right to the services of another, is the essence of slavery; and yet the master may recognize his obligation to reward his servant, to educate him, to treat him as a fellow man and a fellow Christian. What is really declared by these brethren to be sinful, is the oppression, injustice, cruelty, &c., which in so many cases, attend the possession of despotic power. The possession of such power, however, is no sin; though to use it as a despot, that is, unjustly, is a great sin.

In the second place, the Assembly thought that our correspondence on this subject, ought to cease, because we are fully satisfied that we understand the matter a great deal better than they do. This indeed they dispute. They think that our very familiarity with it has blunted our sensibilities and perverted our judgments, and rendered us unfit to view the subject in its true light. We do not claim any exemption from the general laws of our nature. We admit that it is the tendency of familiarity with evil in any form, to render the mind insensible to its enormity. But on the other side, it is to be remembered, that the great majority of our church have nothing to do with slavery; multitudes of our members never saw a slave; a still larger portion never witnessed any act of injustice or oppression exercised towards any one belonging to that class of our population. We are not in such contact with it as to be under its deadening influence. Many of us are further from it geographically, than they are from Italy or Russia. We do not see slavery, as our Scotch and Irish brethren see the misery and degradation of their manufacturing and mining population. If it surprises them that the Christians of the Northern States of this Union, can even hear of the cruelties, sometimes practised towards slaves, without loud protestations and outcries, let them be assured that the existence of such a state of things as was revealed, by the committee of Parliament in the mining districts of England and Scotland under the very eyes of British Christians, filled their American brethren with wonder. Our only solution of the fact that such things could be tolerated in a Christian land, was that the good people of Great Britain had grown up in familiarity with such scenes. We admit, therefore, that such familiarity, where it exists does benumb and blind the mind. But we deny that the majority of our church have any such familiarity with slavery or its attendant evils. On the other hand, while we claim to have more sensibility to the evils of the pauperism of the British Isles than our British brethren are likely to feel; we do not claim to understand it better, in its causes and cure. We acknowledge that as it is the product of their peculiar form of civilization, and of their peculiar institutions, those on the ground or near at hand are more likely than we are, if once roused to the subject, to deal with it wisely and effectively. We do not presume to insist on their adopting our panacea: of free

institutions, equal distribution of property among the members of the same family; universal education; &c., &c. We concede that the subject has bearings and relations, which we are not likely to understand. And, therefore, while we say that the existence of such a mass of pauperism, of ignorance, degradation, and misery, as is to be found among them, is evidence of great guilt somewhere—of great defects in the social system—we do not presume to sit in judgment on our brethren, nor to dictate to them their duty in the premises. In like manner, though we should concede to our brethren abroad livelier emotions when the subject of slavery is mentioned, than American Christians are likely to experience, we do not concede to them greater advantages for an enlightened judgment of the proper method of dealing with it. We think the advantage is all on our side. This conviction is strengthened when we see the crudities, the inconsistencies, the misapprehension of facts, the ignorance of the real state of the case, the common-place declamation, which too often constitute the staple of the most solemn “deliverances” of our foreign brethren on this subject. We notice too, that precisely those of their number who have had the least opportunity of knowing the situation of our churches, are the most liable to the above imputations. There is more solid sense in a single speech of Dr. Cunningham on this subject, than is to be found in all the harangues of the excitable brethren who have never seen America. This is no doubt to be referred, in part, to his superior intellect, partly to his moral courage, but partly also, as we doubt not he would be glad to acknowledge, to his having been on the ground, looked at the subject with his own eyes, seen what abolitionism is, and what is the real position of our church and nation in reference to slavery. To his influence, to the manly stand which he took in the Assembly of the Free Church, is to be attributed the dignified and Christian bearing of that body, in the face of the fanatical influence by which it was assailed. We do full credit to our brethren of the Free Church for their resistance to the ignorant and misguided zeal which would have goaded them to unscriptural and unbrotherly measures. And we feel that gratitude is due to them on our part, for having subjected themselves to obloquy for our sakes, and for the cause of truth. We claim, however, their superior wisdom and moderation as proof, that the more and bet-

ter British Christians are acquainted with America, the more nearly will they agree with us, as to the proper method of dealing with this great subject. We wish, however, to have it understood, that it is for our principles, and not for our conduct that we claim this superiority. We do not assert that we have either as openly announced, as urgently enforced, or as faithfully carried out our principles, as we ought to have done. This would be to claim that we have done our whole duty to the slave population of our country. We confess that in this, as in all other respects, we come lamentably short, and we are willing to receive the rebukes and suffer the exhortations of our brethren in view of our short-comings. But then these rebukes must be enlightened, and not strokes given at random. Our Irish brethren speak to us as though we were all slaveholders, all guilty of separating parents and children, husbands and wives; all chargeable with the neglect of the religious education of the slave; all guilty of the atrocities which the papers sometimes bring to light. Or if not personally guilty of these crimes, they ask whether we do not admit to our churches those who are. Now this is both insulting and ridiculous. Does it follow because there are thieves, drunkards, and murderers in Ireland, they are members of the Irish church? Besides, suppose they were, would it follow that the Irish church sanctioned these crimes? Does any man infer from the fact that the hands of the Church of England are tied by her circumstances or her principles, so that she is powerless in the exercise of discipline, and admits indiscriminately all classes of men to her communion table, that she makes no distinction between virtue and vice? Do our Irish brethren ever talk of withdrawing from all Christian intercourse with the Established Church, on the ground of this lack of discipline? Is it not notorious that the principles which determine admission to church privileges, are far more strict in this country, than either in Scotland or Ireland? Is it not admitted by every one, who has ever visited America, that there are fewer persons of irreligious or immoral character in our churches, than in any of the churches of Europe? When, therefore, questions are put to us, which imply that we admit to our churches men guilty of the greatest crimes, and that too by those who are far less strict on this point than ourselves, we are surprised at the ignorance and self-delusion thereby manifested.

Again, our Irish brethren, ask how we can be so zealous for the conversion of the heathen and yet keep so many in a state of deplorable heathenism at home. Now, though we have not the statistics at hand, we have little doubt that there are more ministers preaching the gospel to our three millions of slaves, than all protestant Christendom has sent to the six hundred millions of heathens elsewhere. There are, we doubt not, more of our slaves in Sunday schools and under other means of religious training, than all evangelical churches have gathered from among the heathen; there are more church members in full communion among the slaves of our Southern States, than converts from among the heathen. Nay more, we have no doubt that among our three millions of slaves, there is not only far more physical comfort and decency, but more intelligence and religious knowledge, morality, and real piety, than among the lower three millions of Great Britain or Ireland.

One of the worst consequences of such letters as those we received from our foreign brethren on this subject is, that in repelling unjust and even absurd accusations, we are driven into self-justification and self-commendation. Paul complained of this. And it is a great evil. It is an evil to us, it makes us compare ourselves with others, and judge ourselves by them rather than by the word of God. It tends to satisfy our conscience unduly, and make us feel that as we are doing more than those who blame us, we are not deserving of blame. It is an evil also to those who ignorantly make such charges. It places them in a false position, and brings the sin of censoriousness upon them. As therefore it is perfectly apparent, that our foreign brethren do not know what they are writing about; as they manifest the greatest ignorance of the facts of the case, we think the Assembly was perfectly right in saying to them—brethren, we have heard your repeated exhortations and counsels; we thank you for your kind intention; we sincerely respect and sympathize with you; but on the subject of slavery, we think enough has been said on both sides, and therefore the matter had better now be dropped.

A third reason for this request is that experience has taught us that these communications do harm rather than good. We are willing to allow there is in many of our brethren, what we regard as undue sensitiveness on this subject. But then their

peculiar circumstances must be taken into account. Our Assembly is in the main composed of members from the non-slaveholding states; it is looked upon at the South, as more or less a Northern body; its declarations are received as coming from abroad; things which Southern men can say and do at the South, if said or done at the North, give offence and excite opposition. It is not the feelings of the church, but the spirit of the community at large, that is thus unduly excited. Men of the world are led to throw obstacles in the way of the efforts of the church. On these grounds our Southern brethren say, you are only weakening our hands, and impeding our progress, by this continual agitation. These denunciations and unfounded accusations, though we can bear them with patience, only irritate the people, and indispose them to co-operate with us in doing good to the slaves. More or less excitement is therefore produced every year when these letters are read. Injustice on the one hand is too apt to produce resentment on the other. And there is great reason to fear that unless this subject, which has been so abundantly discussed, is now laid aside, the friendly intercourse between our Assemblies, will be interrupted. This we should all deeply regret. We feel the sincerest affection and respect for our brethren abroad; we know that we have much to learn from them; we earnestly desire their counsels, on points on which they are competent to instruct us. Let them write to us about parochial schools, and the support of the clergy. Let them tell us how to proceed in bringing all our children, whom the State offers to educate without religion, under the care of church schools; let them urge us on in the discharge of this great duty; and show how we can, in our scattered population, and immense country stretching thousands of miles in every direction, carry out the principles which are found so effective in the compact and homogeneous population of Scotland. We are not indisposed to look up to them for instruction and example, but we think we know our own wants better than they do, and we therefore beg them to give their exhortations another direction.

Since the adjournment of our Assembly we learn that this subject was brought before the Assembly of the Free Church of Scotland. It seems certain petitions were laid before them calling for a more explicit and solemn testimony against American



slave-holding. The prayer of these petitions was rejected, on the ground that the Free Church had already said all they had scriptural warrant for saying; and on the ground, that having written us, the way was not open for further action on their part, until they had received our answer. In the Edinburgh Witness for June 1st, we find a report of the debate on this subject. We are sure our readers will thank us for the following extract from the speech of Dr. Cunningham on that occasion.

“The precise point to which our attention is now called is this,—we are called upon in these petitions to issue, as an Assembly, a more full and stringent declaration than we formerly did on this subject; and we are also called upon now to come to a resolution that we can hold no more intercourse with these American Churches,—thereby adopting a different ground from that on which we have hitherto stood with respect to this subject. Now, as to a more stringent declaration with regard to the subject of slavery, the answer we have to give to these petitioners is just this,—that the Assembly has again and again set forth, in the fullest and plainest terms, every thing which we think the Word of God requires, or warrants us to say against the system of slavery; and the only point where we have stuck,—the only tangible ground of difference betwixt the petitioners and us is, that we have not said, because the Word of God does not warrant us to say, that it is a law universally binding on the Church of Christ, that every slaveholder, simply as such, is on that ground alone, at once and immediately to be excluded from Christian privileges. We stop there. We have said as much, and we have spoken as strongly, against slavery,—against the sinful nature, the degrading character, the injurious tendency of slavery,—as they could wish us to say but we stop there, because we do not believe that it is a principle which the Word of God sanctions, that we are bound to deprive slaveholders, simply as such, of Christian ordinances. That is the sum and substance of what we have said as a Free Church, and we abide by it. (Hear, hear.) If there is any practical step to be taken now on the ground of that position, it must just be resolved into a discussion of the truth and soundness of that position. We do not hold that we differ with them on any very clear and tangible ground. Much obscurity has been cast on the whole question by these persons indulging in mere vague declamation on the character and tendency, the nature, bearing, and effects of slavery,—its injurious influence on the slaveholders and the slave; and when they have thus stirred up the popular feeling against slavery, they assume that they have carried the whole matter; and all ulterior questions are supposed to be at once disposed of, merely on the ground that slavery is an atrocious system, and that it is the duty of every Christian and philanthropic man to do what he can to have it brought to a termination as speedily as possible. Now, it is of importance to remind the house, in the present stage of the question, that the real ground of difference betwixt us and the objectors is that to which I have adverted. (Hear, hear.) I would like very much if any man of competent ability and knowledge of the subject would just begin here, and in an honest and manly way face this question and discuss it fully and at once. I expect that any man who really intends to act an honest and manly part in the discussion of this question as it now stands, and who is in the main favourable to the views of some of these petitioners, and of other

petitioners whose petitions have been rejected, will just feel called upon, in common honesty and fairness to lay down this position, and assert and maintain it from the Word of God.—that it is a law universally binding on the Church of Christ in all countries and in all circumstances, at once and immediately to exclude slaveholders, simply as such, from the enjoyment of Christian privileges. That is the basis of the question to be asserted and maintained. Now, in common fairness they ought to have laid down that position, and attempted to give us the evidence on which it rests. If any man will lay down and affirm that position, I will have no hesitation in taking the negative—(cheers)—on that question,—in asserting and maintaining that it is not a true position, and in producing strong grounds upon which to rest the negation. (Hear, hear.) No man, after all that has been said in this matter up to this point,—after the full and stringent declarations which this church has again and again given against slavery,—I say that no man can now expect to be regarded as dealing with the question in a fair and manly way, unless he lays down this position and undertakes to prove it. Now, notwithstanding all the declamation we have heard on this subject, I have not seen any thing like an honest and manly attempt to establish this position. I have seen a good deal of discussion on various points, which seem to have been intended as a discussion of this position—(a laugh)—but which manifestly is not; a good deal of discussion, for example, of the meaning of the word *doulos*; and I am told that this discussion has found its way among some of the ladies of our congregations. (Laughter.) I am told that they have now got quite learned on *doulos*; and that some of them who don't pretend to know any Greek themselves are accustomed to assert, with considerable decision—(laughter)—that the authority of a son who is at the High School—(continued laughter) or of a brother who is at the College, is in favour of their meaning of the word *doulos*. (Much laughter.) Things of this kind, I understand, are going on, and many have laboured to prove that *doulos* does not always mean a slave,—a statement which no man ever disputed. (Hear.) And they wish their proof of the fact, that the meaning of the word *doulos* does not always mean a slave, to be received by the community as an attempt to establish the proposition that the Word of God imposes, as a law on all the Churches of Christ, the immediate and absolute exclusion of slaveholders from all religious ordinances. I certainly will be very willing to discuss that question if any man—(a laugh)—as I said before, competent to discuss it, would come forward and just lay down this proposition, and undertake the proof of it; although, of course, the idea of proving it is ridiculous. (Hear, hear.) The ground of that opinion is just this, that although we find, in Commentaries on the New Testament, all sorts of absurdities, I don't know that there exists a single commentator who ever disputed that the apostles admitted slaveholders to all the privileges of the Christian Church. I don't, at this moment, know a single individual with the slightest pretensions to scholarship or theology, who has ever ventured to come forward in a fair and manly way to dispute it. People talk of it in various ways, as if they wished to convey the impression that it was not true, or doubtful, although they do not expressly deny it; but that it clearly is the fact, is shown by the common consent of all commentators who have discussed it; and this seems to me an insuperable barrier in the way of laying it down as universally true, that Christian Churches are bound under all circumstances to exclude slaveholders from religious ordinances. I should be exceedingly glad,—I should be most willing to look at it with a decided leaning towards the reception of it,—if any man will maintain, and undertake to

prove that the apostles did not admit slaveholders to, but excluded them from, religious privileges; and that this being a universal law of the church, we must now exclude them. I should be glad that any man would undertake the proof of that proposition; but I am satisfied it could not be proved. We have here, then, a clear and distinct line of demarcation, beyond which, in condemning slavery, we cannot go, without going beyond what the Word of God requires or allows of us. I can easily conceive of a community being placed in such circumstances that a slaveholder, merely on the ground of his being a slaveholder, might be fairly and justly regarded as by the mere fact of his holding slaves, manifesting a sinful state of mind,—as manifesting a sinful love of power,—a sinful desire of oppression,—a sinful willingness to put himself in circumstances of grievous temptation,—I can conceive of a community that might be so placed, as that slaveholding might be regarded as plainly and palpably open to the proof of all this; and I think this would be an adequate ground of exercise of ecclesiastical discipline; but I do not believe that we have the authority of scripture or of apostolic example for laying it down as a law universally binding on the Church of Christ, that every slaveholder, simply as such, is to be excluded from the enjoyment of Christian privileges; or that we are to be forced into the position, by the admission of that rule, and the application of it in practice, that this is to be the term or condition of our friendly intercourse with other churches. (Hear) But even conceding for the sake of argument that it can be made out to be the law of the Christian Church to exclude all slaveholders from ordinances, in order to make out their case they must farther maintain this position, that when a Christian Church takes a different view on that point, she is thereby guilty, either of so much heresy, or of so much sin, as to afford an adequate ground for our abandoning all friendly intercourse with her. This is a position which they must also maintain. Now, that position they never look at. They make some sort of attempt to appear to be discussing the former, when they are not discussing it—(laughter)—but in reference to this second position, they have not yet got the length of even trying to appear to be discussing it. (Laughter.) Even conceding, for the sake of argument, that there are sufficient materials in scripture for maintaining the position that every Christian Church ought to exclude all slaveholders from ordinances, it certainly would not, by any means follow at once, that a church which did not act on this, was therefore by such an act guilty of heresy or sin, so as to afford a valid ground for our abandoning Christian intercourse with her. And that is the sum and substance, so far as distinct matters of doctrine and practice are concerned, of the charge which lies against the American Churches. These people are accustomed to speak of these churches as slaveholding churches. They talk in a vague way of their sanctioning slavery, and so on. But the sum and substance of the matter is just this, that they do not hold that law to be universally binding as a rule of discipline. They do admit to Christian ordinances, men, who although slaveholders, seem to be duly qualified in all other respects for admission to Christian ordinances. This is the charge which ought to be really brought against them, and I cannot admit, on scriptural grounds that it is an adequate charge at all against the American Churches. These people speak of them as if, because they do not exclude all slaveholders, they make themselves responsible for the atrocities of the system. But the truth is, that slaveholding, in the sense which we commonly attach to it, as connected with all the atrocities of the system, with its slave-stealing, slave-driving, and slave-breeding has no more connection with the American Churches than the

worst and most infamous characters who infest the worst and most infamous parts of our large towns have to do with the Christian Churches of this country. (Hear, hear.) Supposing then that after a careful examination of God's Word, we find that the apostles admitted man-stealers, as these people call them, to the Lord's table, we cannot see how it can be laid down as a universal rule, that all slaveholders are to be excluded from ordinances, in so far as their connection with slaveholding is concerned. They hold that opinion; they do not exclude slaveholders, who are otherwise well qualified from the enjoyment of Christian privileges; and in holding that opinion we maintain that they are right, and incur no guilt and no blame. Notwithstanding all the vague declamation that we often hear about the atrocities of slavery, I have no hesitation in affirming, what I believe in my conscience to be true, that the communion roll of these American Presbyterian Churches is purer than the communion roll of the Presbyterian Churches of this country. By which I just mean, that the communion roll of the American Presbyterian Church contains a larger portion of converted men, than the communion roll of the Presbyterian Churches of this country. That I mention, simply in the way of illustrating how unreasonable it is to assume that all the worst class of slaveholders have really any connection with the American Churches. Some men assume that, because the churches in America do not take up the grounds which they think they ought to take, that they therefore become directly responsible for all the evils of slavery;—that because they do not exclude all slaveholders from the communion of the church, therefore it is the worst class of slaveholders that are received and recognised as good churchmen. Now this is perfectly ridiculous. Men ought to inquire into these things before they make such assumptions. However, we shall in all likelihood have farther opportunities of discussing this matter; and I would just, in the meantime, remind those who betray so great an anxiety to discuss this question, that we have again and again spoken of slavery in the only way that scripture allows us to speak of it; and any man holding views, such as I have referred to, is bound to come and lay down these two positions, and endeavour to prove them, namely, that the Word of God imposes a law on the Church of Christ to exclude all slaveholders from its communion; and then, secondly, conceding this position, for the sake of argument, that every church which holds erroneous views on that point, is thereby guilty of so much heresy, and so much sin, as to exclude it from Christian intercourse. Even if I thought that to be the law of the church, which assuredly I do not, I would shrink very much from saying that they should be excluded from our Christian regards. The reverend Doctor here compared the second proposition to the unwarrantable conduct of the High Church Prelatists, in unchurching all other denominations who do not recognize the order of Bishops, even although it were proved that Presbyterians and others are in error in rejecting that order as unscriptural. On the same ground (he proceeded) we are not entitled to assert, even although it were proved that the American Churches have fallen into error in not believing that it is the law of scripture, that slaveholders should be excluded from Christian ordinances,—I say, even although it were proved that this is an error which they have fallen into, that would not be a sufficient ground for at once excluding these churches from Christian intercourse. I have no wish to diminish the guilt of slavery,—I abominate and abhor the infidel principle of what is called the innocency of error,—I believe all error to be sinful; but still we must regard it in its own proper light, and see, in judging of these American Churches, that we do really apply to them the principles of common sense and

ordinary Christian charity. To a certain extent they may be guilty of sin, in not doing all they ought to have done in reference to slavery; and upon another occasion, when we have received an answer to our letter from the American Churches, we may be called upon publicly to discuss this point; but I just wish to explain why it is that we cannot do those things which the petitioners call upon us to do. They call upon us to declare in substance, that it is a universal law, binding on the Church of Christ that all slaveholders should be excluded from Christian ordinances. We cannot make that declaration, because we do not believe it to be true; and we cannot persuade ourselves that it is true, until these men have proved that the apostles did not admit slaveholders to Christian ordinances. They call upon us to declare that the churches which do not exclude slaveholders, ought not to be regarded as worthy of Christian, friendly intercourse. Now, we cannot declare that, because we don't believe the truth of the previous proposition, and because we are persuaded that, even although the first proposition were established, the mere circumstance of a church's taking a different view of this question from us, is not of itself a sufficient reason for our excluding them from friendly intercourse. I would fain hope that the members of the Free Church who have felt difficulties on this question, will be brought to see, that upon distinct and definite grounds they are bound to stop short, in their course of procedure, and that the real course of Christian duty, in following out the principle of God's Word, and with a view to the best interests of the American Churches, is just to follow out the friendly intercourse which we have commenced with these churches. I would fain hope that they will soon come to see more clearly, that the agitation which has been got up upon this subject, is, to a large extent, with the desire of injuring the Free Church. (Hear, hear.) The agitation bears that on the face of it too plainly to be misunderstood. (Cheers.) Of course there are men who have suffered themselves to be involved in it, who have no such feeling against the Free Church; but as a whole, this agitation bears that far too plainly stamped on the face of it, to admit of its being disputed. There are men who are glad to hear the Free Church railed at, who rather enjoy it,—who rejoice to hear her abused; and there are also a considerable number of persons in the community who have no sympathy with any church—(hear, hear,)—and who like to hear all ministers abused; and these two classes formed the main bulk of the late meetings of which we have heard so much. (Hear, hear.) In a letter which I lately received from Dr. Duff, he adverted to American slavery, and the opinion he formed of this agitation upon the question was, that it 'was an ingenious device of Satan to injure the church.' (Hear.) I have no doubt it was an ingenious device of Satan,—a device of Satan, not however so ingenious at its first concoction; because in the form in which it came first before the community of this country,—with the Garrisons, the Wrights, the Buffums, the George Thompsons, and the Douglasses,—(laughter)—with that class of persons, in the character which they exhibited, and the spirit which they manifested, I think Satan entirely outwitted himself. (Laughter and cheers.) These men disgusted the Christian people of this land,—they made perfectly manifest their character, their spirit, and their principles, and thereby Satan's device, to a large extent failed of success. I confess I have some fear and apprehension that the establishment of the Free Church Anti-Slavery Society, and the labours which they have been carrying on,—although I have no doubt there are some pious persons concerned in it,—is just a device of Satan to repair his former blunder, and to get this agitation carried on under a more respect-

table countenance. (Laughter.) It is rather a remarkable thing that there has been on the part of some of those employed by the Free Church Anti-Slavery Society, to make speeches and deliver lectures, very plain and palpable indications that these men are treading as fast as they can in the footsteps of the reckless misrepresentations and spiteful malignity of the Garrisons, the Wrights, the Buffums, the George Thompsons, and the Douglasses. (Laughter, cheers, and hissing from the audience.) This is now becoming every day more and more plain. And I believe that the really good and well principled men among them will very soon find that they are constrained to leave that society. It is a society which cannot last long; and I believe every man of good principle, good sense, and good feeling, who has any professed regard for Christian liberty, will soon abandon altogether all connection with it." (Great applause.)

This is a long extract but we rejoice to give it place, were it only to let our readers know Dr. Cunningham. If they put themselves in his position, surrounded by a strong, though perverted, yet in the main, generous public sentiment, clamorous for further and different action; himself and his church subjected to all manner of abuse for the course which he has taken; if they contrast the clearness and precision of his principles with the vague declamation of his opponents, they will be able to form some idea of the great superiority of the man, and we are sure will be disposed to cling to any bond of union between us and the noble church which he so nobly represents.

#### *Demission of the Pastoral Office.*

This subject came up on reference from the Assembly of last year, and was referred to a committee consisting of Messrs. Junkin, Pryor, Hoyt, Bullock, and Snowden, to whom Dr. Hoge was subsequently added. This committee presented the following Report, which was adopted, viz:

The Committee to which was referred the matter concerning the demission of the pastoral office, respectfully report for the consideration of the Assembly the following statement and resolution, viz. 1. With all the care which the Presbyteries can exercise in the examination of candidates, and with all the inquiry which candidates may sincerely make after the path of duty, it has happened and will again occur, that men may mistake their calling, and be introduced to the office of the ministry without those qualifications which will enable them, with profit to the church, and comfort to themselves, to continue to exercise its functions. 2. It is a fact that many persons do practically demit the exercise of the office, engaging entirely in secular pursuits; and yet, 3. Their names remain upon our rolls, they are accounted as ministers, and are counted in estimating the ratio of representation of the Presbyteries to which they belong, thus giving to some presbyteries a preponderance in the General Assembly to which they are not justly entitled under the fair operation of our system. There is no reason for deposing or suspending them, they have no authority to demit the exercise of their office, nor have Pres-

byteries a right to permit such demission; and these worthy brethren are constrained to live on with vows resting upon them which they have neither the ability nor opportunity to perform.

Therefore, *Resolved*, That it be referred to the Presbyteries whether the following sections shall be added to the 15th chapter of our Form of Government, viz.

XVI. The office of a minister of the gospel is perpetual and cannot be laid aside at pleasure. No person can be divested of it but by deposition. Yet from various causes a minister may become incapable of performing the duties of the office; or he may, though chargeable with neither heresy nor immorality, become unacceptable in his official character. In such cases he may cease to be an acting minister.

XVII. Whenever a minister from any cause, not inferring heresy, or crime, shall be incapable of serving the church to edification, the Presbytery shall take order on the subject, and state the fact, together with the reasons of it, on their records. And when any person has thus ceased to be an acting minister, he shall not be a member of any Presbytery or Synod, but shall be subject to discipline as other ministers. *Provided always*, that nothing of this kind shall be done without the consent of the individual in question, except by advice of the Synod.

This subject has been repeatedly before the Assembly at least as far back as 1802. The strong conservative principle in our Church, which resists all change whatever, together with a vague and indefinable feeling, that the investment of the ministerial office imparts a certain official virtue, and involves the assumption of certain unalterable vows of which the individual cannot be divested, except by formal deposition, has always prevented the adoption of any constitutional provision, for allowing the voluntary demission of the office. And yet cases have been so constantly occurring, in which men have manifestly mistaken their calling, or been placed in circumstances compelling them to engage in occupations so glaringly incongruous with the ministerial character and work, and that too without any fault of theirs, or any deficiency of religious character which would justify the serious penalty and stigma of deposition, that although dismissed again and again, the subject still continues to return upon the Assembly. We have long been perfectly persuaded, that it can never be put to rest, until some provision is adopted, which will allow us to get over the obvious and serious evils of our present system, in a way that will infer no censure where we think none is deserved. It would certainly be an unspeakable relief both to the Church at large, and to those brethren who find themselves driven into this unfortunate position by the clear indications of duty, to allow them without forfeiting their moral character or ecclesiastical reputation, quietly to demit an

office, whose functions both they and their brethren feel that they cannot with propriety perform. And we can see nothing either in the nature of the ministerial office as understood by Evangelical Protestants, or in the unavoidable tendencies of such a provision, which should render it either improper, or inexpedient. The unusual length to which our remarks on other subjects have grown, prevents us from entering into any discussion of the subject; but we cannot forbear expressing the strong hope, that the overture now sent down by the Assembly to the Presbyteries, with a view of providing for these cases, will not be voted down by those of our brethren who are not in a position to see the evils existing in certain parts of our Church, or—which we fear still more—that it will not be allowed to go by default, through the failure of so many of our Presbyteries, to take action on the subject, as in the case of the last overture sent down for the same purpose.

#### *Christian Union.*

A strong feeling on this subject seems to be awakened throughout the whole Evangelical Church in all its branches. The recent puttings forth of this feeling in various ways, resemble the promptings of unreasoning instinct, revealing a conscious feeling of a real want, and yet manifesting no settled views of the true method of gratifying it. In the present state of interest which pervades almost the entire Christian world, we know of no subject more inviting to the sanctified master minds in the Church, than to investigate in the light of the scriptures and of Christian experience, the true nature of that union which should pervade the whole Church of Christ in all its separate branches and members, and to indicate the principles and methods by which that union may manifest itself in outward expressions and in concerted action, without interfering with those distinctive views which must always spring from the free actings of the human mind on subjects of such vast range, and such engrossing individual interest.

The subject was brought before the Assembly by memorials from the synods of Pittsburg, Wheeling and Virginia. The committee to whom these memorials were referred made the following report, viz:

“It is well known that the manifestation of unity among evangelical churches,



occupies a distinguished place in the public mind at the present time. Nor can it be alleged that it does not deserve the consideration which it has received.

"The Convention held last year in London, has greatly increased the attention given to the subject among Protestants, and it is hoped the results of that meeting may be extensively and permanently beneficial. If real Christians, who hold fast the form of sound words, and feel the purifying and elevating power of truth, shall perceive more clearly their substantial agreement, love one another more fervently, and co-operate in the work of faith, and labour of love more extensively and zealously, the advantage to the common cause of Christianity would be real and great.

"We would by no means call in question the organization or operation of that branch of the Christian Alliance which has been constituted in our country, but would rather bid those brethren God speed in their legitimate efforts, and pray that the blessing of the God of peace may abide with them always. Still it may be inquired whether some plan of intercourse and combined effort may not be adopted, which may specifically include those denominations who hold the same faith, and the same ecclesiastical form of government and discipline, substantially and truly, which we hold, that may greatly contribute to more intimate and complete unity, in sentiment, affection, and practice. If this can be accomplished in a considerable degree, in a way which will be safe, and will not interfere at all with denominational peculiarities and interests, it will be much gain to the cause of truth and charity. And thus not only entire apostacy from true Christianity in its various forms, but errors of dangerous tendency may be more effectually resisted, and the system of salvation by free and sovereign grace, may be more favourably exhibited before the Christian public.

"It is to be particularly observed, however, that such a plan should bear no relation whatever to the amalgamation of those denominations who may be willing to enter into such an arrangement. This must be left to each in its own ecclesiastical capacity. Only that unity which is consistent with denominational distinction should be embraced in the plan.

"It is therefore respectfully recommended that the General Assembly offer for consideration to the supreme judicatories of those denominations in the United States, who are of the description above mentioned, the following propositions:

"1. The General Assembly of the Presbyterian Church, the Synods of the Associate Reformed Presbyterian Church, the Reformed Dutch Protestant Church and the German Reformed Church, will appoint both ministerial and lay delegates, in such numbers as they shall deem proper, to meet in conference at such time and place as shall be hereafter designated, and consult and decide respecting a suitable plan of intercourse, as may be deemed profitable and safe.

"2. The results of this conference shall be reported to the several bodies, and shall be regarded as adopted only so far as they shall be approved by each body.

"3. This Assembly will appoint a committee who shall have the charge of previous arrangements, so far as we are concerned, and shall be authorized to communicate with the bodies above named, and confer with any committee by them appointed."

This report was unanimously adopted: and the following committee were subsequently appointed in accordance with the Proposition viz: Dr. Phillips, Dr. Potts, Mr. Lenox, Mr. Oliphant and Mr. Steel.

*Peace Resolutions.*

We conclude our account of the Assembly by giving the following Resolutions, which we are sure will commend themselves to the humane and Christian feelings of all our readers, and we trust will meet a hearty response on the part of all our ministers and churches.

“On motion, *Resolved*, That in view of the continuance of the war in which we are engaged, and of the great and dreadful evils of war, it be earnestly recommended to all our churches to humble themselves before Almighty God, with confession of their own sins and of the people, and to engage in fervent and continued prayer that as individuals, and as a nation, we may be forgiven; that there may be a speedy, righteous, and amicable adjustment of all existing difficulties with other nations; and that we may be permitted to enjoy without interruption the blessings of peace.

“*Resolved*, That all pastors, and all others preaching statedly, be requested to bring this subject before the several churches in which they minister on the second Sabbath of July, or as soon after as it may be convenient, and to urge upon our people the duty pointed out in the foregoing resolution.”

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 SHORT NOTICES.

ART. VI.—*Minutes of the General Assembly of the Presbyterian Church in the United States of America, from its Organization, A. D. 1789 to A. D. 1820 inclusive.* Philadelphia: Presbyterian Board of Publication. 8 vo pp. 756.

WE sincerely thank the Board of Publication for placing within our reach this collection of valuable and hitherto inaccessible documents. In the publication of works which are invaluable to the Presbyterian Church, and which from their character no common publisher could be induced to issue, our Board is fulfilling one of the main objects of its establishment; and rendering a most important service to our Church. We take for granted that most of our ministers and elders will desire to