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ART. I.—*Report of the General Committee of Public Instruction of the Presidency of Fort William in Bengal.* Calcutta: G. H. Huttman, Bengal Military Orphan Press. 1841. pp. 266.

WE regard this as a very interesting document on a very important subject. We are grieved, and almost out of patience, at the apathy with which the social and moral destiny of India is regarded, by the great mass of our intelligent and public-spirited people. Why should we feel so little interest in a country which contains a population equal to that of England, France, Spain, Portugal, Prussia, Italy, Switzerland and Germany together; a population of remarkably interesting character, and just in the act of undergoing the most important changes, political, social, moral and religious? We await with anxiety the arrival of our steamers, to tell us the price of cotton in Liverpool, and the rate of interest and exchange in London; and the variation of a cent a pound in the former, and a half per cent. per annum in the latter, creates a sensation from one end of the country to the other; but who knows what progress Christian civilization is making in Asia, and who cares to hear of the difficulties and successes of education, and of social and moral improvement, among the hundred and twenty millions of British India? If we thought we could

may be called to buckle on their armour in this warfare, we dismiss the subject till another opportunity.

ART. V.—*The General Assembly of 1843.*

THE General Assembly of the Presbyterian Church in the United States of America, met, agreeably to appointment, in the Central Presbyterian church in the city of Philadelphia, on Thursday, the 18th of May, A. D. 1843, at 11 o'clock, A. M.; and (Dr. Edgar, the moderator of the last Assembly being absent) was opened with a sermon by the Rev. Robert J. Breckinridge, D. D., from Acts xv. 14. "Simeon hath declared how God, at the first, did visit the gentiles, to take out of them a people for his name."

After the sermon, Dr. Breckinridge, being the last moderator present, took the chair and opened the session with prayer. Dr. Breckinridge presided at the organization of the Assembly, according to the precedent set some years since at Pittsburgh, when it was decided that, in case of the absence of the moderator of the preceding Assembly, the last moderator present, whether in commission or not, was the proper person to preside until a new moderator was chosen. In our Form of Government, ch. 12, §. 7. it is said, "The General Assembly shall meet at least once every year, on the day appointed for the purpose, the moderator of the last Assembly, if present, or in case of his absence, some other minister shall open the meeting with a sermon, and preside until a new moderator be chosen." This rule seems inconsistent with the usage under which Dr. Breckinridge acted; and as cases might arise in which it would be a matter of importance to decide who was the proper person to preside at the opening of the Assembly, the committee of Bills and Overtures reported the following preamble and resolution, which were adopted, as we are informed, unanimously:

"Whereas there exists a difference of opinion as to the proper person to open the session of the General Assembly, in the case the moderator of the Assembly, immediately preceding, be not present; therefore,

"*Resolved*, That it is the deliberate judgment of this General Assembly, that by the Constitution of our church, no per-

son is authorised to open the sessions of the General Assembly, or to preside at the opening of the said sessions, except the moderator of the Assembly immediately preceding, or, in case of his absence, a commissioner to the General Assembly, selected for the purpose, by the other commissioners met at the time and place fixed for such meeting." This resolution was obviously not designed to censure Dr. Breckinridge, the propriety of whose action in the premises, being agreeable to usage, was universally conceded.

After the Assembly had been called to order, the permanent clerk reported the roll of commissioners in attendance, the whole number of whom, including those subsequently reported, was one hundred and fifty-nine.

Disputed Elections.

The committee of elections reported in the case of the Rev. David M. Smith, that it appeared to the satisfaction of the committee, that the Presbytery of Columbia, failed to form a quorum at the time appointed for their stated spring meeting; that there were present two ministers and ruling elders from a majority of the churches; that those present requested the Assembly to receive Mr. Smith as their commissioner, in which request two of the absent ministers have expressed their concurrence in writing; and that it is believed the appointment of Mr. Smith would have been unanimous had the Presbytery formed a quorum. In view of these facts the Assembly decided that Mr. Smith could not, agreeably to the Constitution, be admitted to a seat. On the one hand it was urged that the Presbytery being a permanent body, might express its will, if not regularly as to form, at least substantially and effectively, even when not in session; that as the will of the Presbytery constituted the essence of a commission, we have in the present case all that is essential; and that the reception of Mr. Smith, could afford no precedent for the reception of commissioners when the will of the Presbytery appointing them was not satisfactorily known. On the other hand, it was contended, that although a Presbytery is a permanent body, it can only act when in session; that the assent of the several members of our national congress to any legislative measure, would have no force, unless that assent was given when the body was regularly convened; that the Assembly had no authority to set aside the express prescriptions of the Constitution, and that all precedents which violate important principles are dangerous.

Board of Foreign Missions.

On Tuesday morning, the 23rd, the Anniversary of the Board of Foreign Missions of the Presbyterian Church, was celebrated in the General Assembly. Walter Lowrie, Esq., Corresponding Secretary of the Board, presented the Annual Report, and made some extended remarks thereon, reviewing in brief, the operations of the Board during the past year, and those proposed for the current year. During the year one missionary has been sent to Lodiaua, three to Western Africa, and one to the Creek Indians. Mr. Lowrie gave a brief history of the prospects of each of the Missions, and he dwelt especially upon the importance of a Mission to China, and the immediate establishment of stations at Hong Kong, Amoy, Ningpo, and Chusan; with eight missionaries, one physician, and a printer. To accomplish this, the sum of \$20,000 a year would be required for a few years. The Rev. Professor Green, Dr. Leland, and Rev. Mr. Murray addressed the Assembly in behalf of the objects of the Board.

Mr. Lowrie, the Secretary of the Board, stated that the receipts, during the past year, from all sources, were \$56,159 95, from which deducting discounts and balances of last year, \$54,308 89 were left for the services of the year. During the same period, the expenditures amounted to \$54,374 31, leaving a balance against the Treasury of \$65 42. Also, \$3,000 had been received from the Bible Society towards printing the Sacred Scriptures in the North India, and \$2,200 from the American Tract Society, for printing approved Religious Tracts in the same country.

The committee to whom the report of this Board was committed reported first as to the operations of the Board and secondly as to the method of obtaining funds. On the former branch of the subject, they submitted the following propositions which were adopted.

“The General Assembly recognise, with a solemn sense of obligation, with unfeigned gratitude, and with mingled emotions of humiliation and hope, the great work of giving the gospel to the world, committed to our church, in part, by her exalted head, and conducted by the Board of Foreign Missions. And they acknowledge that they are bound to persevere and increase in this work of faith and labour of love. Approving the management of this department of Christian effort as exhibited in the report, and hoping an enlargement of exertion, and an increase of success will be

recorded during the current year, they adopt the following resolutions.

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

2. *Resolved*, That it is exceedingly important to enlarge and strengthen the Missions of our Church at almost every point both with additional laborers and increased means of usefulness; and, if the door shall be open, to establish other Missions during the present year.

3. *Resolved*, That Missions among the Indian tribes on our western border have a peculiar claim on the church in our land.

“In the view of this Assembly no pastor discharges his whole duty who neglects to enlighten and impress his people in regard to their duty on the great subject of Foreign Missions. Therefore

4. *Resolved*, That much good has been found by experience to result from the circulation of the missionary papers of the Board among the churches. It is therefore urged upon pastors and benevolent individuals to diffuse as widely as possible among our churches these papers, and especially the Foreign Missionary Chronicle, the price of which is so low as to bring it within the reach of all.

5. *Resolved*, That particular attention ought to be given to the training of our children and youth in the Sabbath Schools and churches in the knowledge and love of the Missionary cause.

“And whereas the great empire of China is in the providence of God open to the Christian missionary, and the wide-spread moral desolations of that ancient people present strong and pressing claims for the bread of life; and whereas qualified men are prepared to go on this errand of love and mercy, and are only waiting till the necessary means be afforded,

6. *Resolved*, That the claims of China be and they hereby are presented to the prayers and the liberal support of the churches; and without deciding in favour of a special effort, the General Assembly do hereby authorize the Board to receive donations from individuals and from churches, in aid of this mission; but they would remind the churches that the wants of China, great and pressing as they are, ought not to be supplied at the expense of existing missions, and that these can only be sustained, and at the same time, the mission to China carried forward, by a support increased and enlarged above that of previous years.”

When the committee reported on “the method of obtaining funds,” their report was referred to Messrs. Hoge, Murray, Janeway, Green and Atkinson, to report to the next Assembly.

Board of Domestic Missions.

On Wednesday morning, the 24th of May, the anniversary of the Board of Domestic Missions was held in the General Assembly. The Rev. Dr. Wm. A. McDowell,

Secretary of the Board presented the annual report, of which the following is a brief abstract.

“The number of missionaries now in the field is two hundred and ninety-six, who have laboured in twenty-three states—and fifteen to twenty are strictly itinerants. The number of persons admitted on examination to the communion of the church, during the year was three thousand six hundred, and on certificate from other churches four thousand eight hundred. Fifty new churches have been organized, and extensive preparations are being made to organize others. Seventy houses of worship have either been built, or are now building. There are nine hundred schools, in which upwards of thirty thousand children are taught. The temperance cause is progressing. The past year has been one of exertion eminently blessed by the Lord—revivals have been numerous, general and powerful. The receipts at the treasuries at Philadelphia, Louisville, and Pittsburgh, and other sources, during the year, was \$35,760 99 the total disbursements, \$29,999 41; and the balance on hand is \$3,761 55. Checks are in hand and drafts now due, however, which will more than consume the balance. The engagements for the ensuing year are very extensive, and the demand for funds will be greater than during any preceding year.”

On the recommendation of the committee, to whom this report was referred, the following resolutions were adopted.

1. *Resolved*, That in view of the facts disclosed in the report, the marked success which has attended the efforts of the Board during the past year, this Assembly is emphatically called on to record its gratitude to the great Head of the Church, who has thus honoured his word, and glorified His gospel through their instrumentality.

2. That the sustaining in the whitening fields of missionary labour, of more than three hundred ministers bringing unto dying men the Bread of Life; the additions unto the Church of our Redeemer, through their instrumentality of between four and five thousand souls—the organization of fifty new churches—the erection of not less than seventy houses of worship, and the catechetical Sabbath school instruction of more than thirty thousand children and youth; all demonstrate the importance of the Board, and its utility as an agency in extending the Redeemer's kingdom throughout our beloved land. The results of the past year declare in no doubtful manner, the special approbation of the great head of the Church.

3. That the opening before us of yet wider fields of usefulness, and the increasing cry which cometh up alike from the South and the West, the East and the North, call loudly for increased effort, greater self denial, and more earnest prayer: that we may be enabled to meet the exigency of the times, the claims of God, and the calls of dying men beseeching at our hands the gospel, and the ordinances of God's house.

4. That our Presbyteries be recommended to take special order on the subject of Domestic Missions, and annually to inquire particularly, what the several churches are doing in this department of Christian duty and benevolence; and also, specially to inquire into the destitutions within their own bounds; which said destitutions, brought before the Presbytery, and spread under their order, before the churches would, it is believed, constitute the basis of the most effective appeal to the benevolence of the people in behalf of missions generally.

5. That the report of the Board of Missions be approved by the General Assembly, and with its objects and views, be affectionately commended to the attention, and Christian benevolence of the Synods, Presbyteries, Sessions,

and members within our communion ; and that it be returned to the Board for publication.

The subject presented in the fourth of the above resolutions, was more distinctly brought before the Assembly by an overture offered by the Rev. Mr. Atkinson, which was adopted, and is as follows : “ Resolved, That it be enjoined on the Presbyteries, to take such order for the organization of the churches under their care, for a systematic effort to aid in the education of indigent candidates for the ministry, and in the efforts making to spread the glorious gospel of Christ throughout our own country and the world, as will secure the presenting these objects to every member of the church, at least once in every year, and that the Presbyteries require the session of each church to report their diligence herein at every spring meeting.” We beg to be allowed to call the attention of our brethren to this resolution as one of peculiar importance. It is obvious that in order to raise funds for the various necessary operations of the church the great desideratum is to have the claims of these several objects laid before every communicant and worshipper in our churches, that the call may be made to their hearts and consciences to do something for the salvation of their fellow men. How this is to be done is a question which cannot receive at all times, and in all places, the same answer ; but if the Presbyteries would make it a matter of conscience to see that it is done ; or at least, that the representatives of every church under their care should be called on at stated times to report how far they had endeavoured to accomplish this object, we are persuaded that the effect would be such as to gladden the hearts of the people throughout our whole land.

Board of Education.

The Anniversary of the Board of Education was observed by the General Assembly on Thursday morning, May 25th. The Annual Report was read by the Rev. M. B. Hope, the Corresponding Secretary, and addresses were made by several members. The following is an abstract of the Annual Report.

The Board of Education are enabled, (they trust with humble gratitude,) to report another year of remarkable prosperity. The supply of candidates has not only kept up, but is greater than that of last year, by more than sixteen per cent. : and the Treasury of the Board, has enabled them

promptly to meet every demand upon their funds. The number of candidates received during the year has been one hundred and one, making the whole number aided by the Board, one thousand three hundred and thirty. The number on the roll of the Board for the year just ended has been three hundred and fifty. Of these there were in their theological course, one hundred and sixteen. In colleges, one hundred and forty-two. In academies and private schools, sixty-six. Teaching temporarily, twenty-six. Total three hundred and fifty.

It is but justice to the Church to state, that this is not a full view of her Education statistics. There are scholarships in several institutions, and private foundations for students, which do not report through the Board. The whole number of beneficiaries in connexion with the General Assembly cannot be less than from four hundred to four hundred and fifty.

It is certainly a remarkable fact, that among so considerable a number of young men, there has been no call for discipline, on moral grounds, or defective piety, for the last three years. And within that period, we are not aware of a single case, where a young man has been seduced from the ministry, by the emoluments and honours of any secular profession.

Several causes have contributed to this happy result. Foremost in the number, we reckon that feature of our plan, which places the beneficiary in the solemn relation of a candidate for the ministry, under the care of the presbytery. The Board are sorry to say, that in some presbyteries this plan is not fully adopted, and where it is, the principle of presbyterial responsibility and supervision, is not always fully carried out, as they could desire. They contemplate, however, as soon as other and more pressing duties will permit, to address themselves to the task, of improving and carrying out this plan, with the concurrence of the presbyteries, and under the sanction of the Assembly.

Under the direction of the Board, a pastoral correspondence has been opened between the Corresponding Secretary and the candidates, which has been attended already with the happiest effects and which promises the greatest usefulness. This measure has disclosed the possession on the part of the candidates of a higher range of character, both in talents and piety, and especially in devotion to the Master's service, than we had ventured to expect. The strength of charac-

ter and determined purpose of these sons of the church, in wrestling with poverty, neglect, opposition, and trials of every sort, all borne with perfect cheerfulness—with their faces set like a flint towards the ministry, did not propriety forbid the exposure of their confidential correspondence, would impress the church as it has done the Board, with the inestimable value of the treasure which she possesses, in these candidates for the ministry.

Thirty-three of our candidates have finished their course of study, and are now entering upon the active duties of the ministry: and several others have been licensed to spend another year in study. Two have died, and seven have ceased to need aid.

The Board are gratified to state, that among the number who have finished their course, are two interesting coloured men, who have given great satisfaction during the progress, and since the termination of their studies; and both of whom have gone to Africa, to “proclaim liberty to the captives, and the opening of the prison to them that are bound” in that oppressed and long benighted land.

The Board feel called upon to render special thanks for the goodness of God to them in regard to their financial affairs. While almost every other institution within our knowledge, has felt the pressure of the times, in the curtailment of its income, they have been blessed with an actual increase of resources fully adequate to the increase of their beneficiaries; and this, too, they are glad to say, agreeably to the hope expressed by the last General Assembly, without any increase of their regular agency.

The General Assembly will sympathize in the gratification felt by the Board in view of the fact, that notwithstanding the peculiar difficulties of the times, the receipts during the year, as shown by the Treasurer’s Report, have been \$29,104 16. And if to this there be added the sum of \$1,300, deposited for convenience in other places, and which has not yet passed through the hands of our Treasurer, it makes the actual receipts over \$30,000—which is an advance of twenty-four per cent. over those of last year, and fifty-one per cent. over those of the year before last: or in other words, the receipts of the Board have increased from nineteen thousand to thirty thousand dollars. We cite the fact in evidence of a greatly increasing interest in the cause, and of rapidly extending usefulness, under the favour and blessing of the Great Head of the Church.

The following resolutions were adopted by the Assembly in reference to this report :

1. *Resolved*, That the success which has crowned the labours of the Board demands the most devout and grateful acknowledgment to the God of all grace, on the part of this Assembly and of the church at large.

2. That the Assembly have received with peculiar gratification the evidence of so high a character on the part of their candidates and beneficiaries, and affectionately and cordially recommend them to the confidence, the prayers, and the support of the churches.

3. That the Assembly commend especially that feature of the plan of Education which places the great responsibility in the selection, training and supervision of the candidates upon the Presbyteries ; and that it be recommended to those Presbyteries which co-operate with the Board, not only to adopt this measure, but to carry it into operation with the utmost practicable vigilance and care, both in the selection of candidates and their prompt dismissal if they should seem to be unworthy of continued support.

4. That in the deliberate and solemn judgment of this Assembly, the cause of Education is fundamental to the prosperity and progress of our Church, if she would take that high and noble pre-eminence, which is within her reach, in the great work of the world's regeneration ; and that it be warmly recommended to the churches for a far more generous sympathy and support.

5. That it be recommended on the one hand, to the Board to encourage their candidates to engage in active means of doing good during the progress of their studies, and especially during periods of vacation from study, and on the other hand, to pastors who may have it in their power, to take them under their care at such times, and to direct their labours so as to cultivate a practical knowledge of the subordinate duties of the pastoral office, and a personal acquaintance with men and manners, along with intellectual and theoretical education.

Whereas the Presbyterian Church is now fully organized with its different Boards to raise up and educate her ministry and to sustain them amid the wastes of our own and foreign countries, it is of essential importance that a systematic plan of benevolence be devised, which will secure the annual presentation of the claims of all our Boards to all our Church members ; and it is hereby earnestly recommended to the several Presbyteries, and to all our ministers and churches to take action for the attainment of this great object.

The closing paragraph of the above report declares it to be "essential that a systematic plan of benevolence be devised, which shall secure the presentation of the claims of all our Boards to all our church members." There can be no two opinions as to the importance of this personal application to all connected with our church who profess to love and serve the Redeemer. A formal report was made, it will be remembered, on a new method of raising funds for all the Boards. Whether the above suggestion that a systematic plan of benevolence should be devised, has reference to the same plan we do not know. The object here contemplated, however, is the very one which our Boards, as at present organized, are endeavouring, with constantly increasing success, to accomplish. It strikes us as peculiarly

important that they should not be interfered with. Every change in our system of operations, as a change, is an evil. It tends to destroy confidence, and of necessity produces confusion and delay. Those engaged in conducting the benevolent operations of the church, are becoming better fitted for their work, more accustomed to the instruments with which they have to operate, and better acquainted with the field they have to cultivate. Any new machinery for accomplishing this same work, must take years to bring into successful operation, even if the new plan should not be inherently defective. We say this not because we do believe that no improvement may be made in the mode of reaching our people and of inducing them to give, but because we are persuaded that no one system will suit all parts of the church, and because we believe that any radical or extensive change (such as that of forming a new Board of agencies and funds,) would be attended with great, if not ruinous evils. We do not mean to discuss the merits of the plan suggested in the Assembly, for that is not before the churches. But as this is a subject in which all connected with our church have a deep interest, we think we may be allowed to call the attention of our brethren to a few plain principles and facts, the truth and justice of which we presume all will admit. It cannot be denied that any extensive change in the mode of conducting any great work, is of itself a great evil, which nothing but urgent reasons can justify us in occurring. Do any adequate reasons exist for a radical change of our present mode of sustaining the operations of the Boards? We cannot see them. The Boards certainly possess the confidence of the church to a degree as great as we can ever expect so large a body of men to agree in any thing. Less and less is said, or can with any show of justice be said, against them or their measures. In the recent Assembly, as fair a representation of the church, as could well be had, there was not one word of disapprobation to the best of our knowledge, uttered by a single member of the house. Strong expressions of approbation and confidence were passed by unanimous votes with regard to each of the Boards. The warmest interest was manifested in their measures and success. There can be no reason for change, therefore, on the ground of want of confidence in our present system.

Does the inefficiency of our Boards call for any radical change of our present mode of operation? Look at the

last reports of those Boards. Look at the increase of the resources of the Board of Education from nineteen to thirty thousand dollars in two years; look at the great increase in the number of its beneficiaries, now amounting to three hundred and fifty, and to the high character they bear for piety and devotedness. Look, too, at the report of the Board of Domestic Missions, which seemed to fill the Assembly with surprise and gratitude. Think of fifty new churches being organized, of upwards of eight thousand members being received into communion, three thousand six hundred of whom being new members; think of thirty thousand children being in a course of instruction in the schools under the care of these missionaries. Surely this is an encouraging report of the proceedings of the past year. The report of the Board of Foreign Missions gave no less satisfactory proof of their efficiency. These results have been accomplished during a year of great pecuniary embarrassment, and while many kindred societies are involved in serious difficulties from their declining resources. That less, far less is done by our church than might and should be accomplished, is indeed to be admitted with sincere humility. But why is this? Is it to be ascribed to some fault in the system, to the want of due energy and wisdom in working that system, or to the want of liberality and zeal in the churches? Who does not know that the last is so much the more true and potent of these causes, that the others can hardly be taken into consideration, in accounting for the effect. We do not say that the mode of operation is incapable of improvement in its details, or that the system is carried out with the greatest possible energy, but we have no manner of doubt that no conceivable system, and no attainable energy would meet the real and grand difficulty, which lies in the low state of zeal in our own hearts. If any plan can be devised to make us all love the Saviour more, to be more devoted to his service, more liberal and self-denying, more solicitous for the salvation of our fellow men, something to the purpose will be done; but any thing short of this will be of little account. It cannot be said, therefore, that the inefficiency of our present mode of operation calls for any radical change of the system.

Will it be said that the expense attending our present method, calls for such change? As to this point there are two questions to be asked: Is the expense unnecessarily great? and secondly: Would it be less on any other equally effi-

cient plan? As to the former of these questions, to give a proper answer, we should compare the expense connected with our method with that of similar societies. The Board of Education report one agent, that of Domestic Missions, two, that of Foreign Missions, three. Can any society in this country or in Europe, be produced that gets on with a less amount of agency than this? Can any wise man wish to overturn our whole system to get rid of such an expense as this? We doubt not, the incidental good done by these few agents in preaching the gospel, in diffusing information, and in exciting zeal, is worth to the church a hundred fold more than all the outlay their support requires. The necessity for agents decreases just as the liberality, activity and zeal of the churches increase; and we are persuaded the expense arising from this source has been brought down to the lowest point the present state of our church will bear. We have often been surprised and grieved at the language used on this subject. We heard a worthy elder once say on the floor of the Assembly, that the congregation to which he belonged refused to contribute to the cause of Foreign Missions, because the agent who visited them received a larger salary than their pastor. It is possible that good men, might, without reflection, act on such a ground as that, but if any congregation should deliberately refuse to contribute twenty dollars to the Board of Missions, because fifty cents of that sum was to be expended in a way they thought unwise, it would be impossible to make others believe they cared any thing for the salvation of the heathen. When a man assigns a reason for his conduct altogether inadequate, it ceases to be a reason, it is merely a pretext. As to the second point, whether the expense would be less upon any other equally efficient plan, we can only say we have heard of no plan which would not in all probability double the expense, and endanger seriously the efficiency of the whole system. This matter, however, can only be properly discussed when any new plan is fully exhibited in all its details. In the meantime, we hope brethren will lay to heart, the wisdom of the homely maxim, *let well alone*. The spirit of change is one of the worst that can infect a church. While our Boards are going on from year to year, with increasing prospects of usefulness, it would seem to be most unwise to hazard every thing by the adoption of any untried plan. The material is too valuable for mere experiments. We have little doubt that the church will be dis-

posed to give great weight in all questions relating to the method of raising funds, to the judgment of the officers of our Board, whose exclusive attention to the subject has rendered them so much better acquainted with the whole business, than those whose attention is directed mainly to other matters. The great importance of this subject, and the fact that it has been referred to a committee to report to the next Assembly, render it proper that it should, before that Assembly meets, be made a matter of serious consideration.

Board of Publication.

On Friday morning, May 26th, the anniversary of the Board of Publication was celebrated in the General Assembly. After the reading of the Annual Report by the Rev. Joseph H. Jones, the Corresponding Secretary, several addresses were made. We have room only for the following abstract of the Annual Report.

During the year, the Board have printed twenty-one volumes of various kinds, containing in all 7,602,300 pages, besides 6,307,250 pages of new editions of stereotyped works. They have also published 1,751,000 pages of Catechisms and Tracts.

Though the number of pages published by the Board, within the past year, falls a little short of the amount published the preceding year, it is not because of any abatement of zeal or interest on their part. They have carefully weighed their responsibility as stewards, and the serious hazard of advancing any further than the zeal and interest of the church would warrant.

Among the books published during the year, are several of peculiar value to the Church at this time, when the doctrines of the Reformers and the authority of the Fathers are misapprehended by so many, and so grossly misapplied. The Board have also been deeply impressed with the importance of the publication of books suitable for the young, and they have used their best efforts to increase the number of this class of publications.

From the Treasurer's Report it appears that the money in his hands on the 1st of April, 1842, amounted to \$7,187 43. During the year ending April 1st, 1843, he has received in payment of subscriptions, and donations, \$6,610 43; from the sale of books, \$12,050 34. The amount expended is \$18,409 54. Leaving a balance in the Treasury, on the 1st of April, of \$7,438 80.

The sales of the year have been greatly restricted by the financial straits and perplexities of the country, yet the Board express "the painful conviction that the result is to be traced, in a degree, to other causes than the want of means"—to the "apathy of the church, notwithstanding the earnest appeals of the Board, the resolutions of the Assembly and numerous subordinate judicatories"—to a "want of energy and skill, in devising the most efficient modes of operation," &c.

Numerous friendly communications, suggesting various plans that have been tried by kindred institutions, have been received, but the appeal to such examples fails in force, from want of resemblance between their organization and that of the Board of Publication. The American Tract Society, for instance, to which reference has so often been made, is sustained, and her treasury replenished, by the yearly contributions of the churches, while the resources of the Board of Publication are limited, depending wholly on the product of sales.

The Board recommend a more general and energetic co-operation on the part of the Church—that Sessions, Presbyteries and Synods, not only pass resolutions recommending the publications to the churches, but take systematic measures to have the books procured, paid for, distributed and read. It is recommended that each Synod appoint a Standing Committee, to take such measures as they may deem proper to procure the books of the Board, and employ a travelling agent to circulate them throughout the bounds of the Synod.

The Board propose to supply each Synod with books, on a credit of six months, at twenty per cent. discount from the catalogue or retail prices, for approved paper, or at a discount of twenty five per cent. for cash.

The Board state, in conclusion, that they have been gratified and encouraged by the noble acts of certain friends of the Board, whose munificent gifts have furnished the means of stereotyping several valuable works, selected by themselves and approved by the Board.

The Assembly adopted the following report of the committee to whom this subject was referred.

"The Committee on the Report of the Board of Publication have reviewed the work performed, during the last year, by this Board, with great satisfaction. The character and the number of the works which they have issued, and the wide circulation which they have given to many theological treatises of sterling merit, fully evince the wisdom of this part of our plan of operation, as a church,

in order to increase the intelligence and piety of our own members, and to place before the public eye, in a true light, that system of faith and order which we have derived from the Bible. That the Board have faithfully and successfully administered the department entrusted to them, must be obvious to every intelligent and candid mind; and if they have not issued as large a number of copies of the works which they have published, as could be desired, the reason is found in the imperative duty of keeping the capital with which they have been entrusted by the Church, not only unimpaired but safe from probable loss. The committee recommend to the Assembly for consideration the following resolutions.

1. *Resolved*, That the report be approved, and be committed to the Executive committee for publication.

2. That the Board be instructed to extend the circulation of their publications as widely as possible; yet it is their imperative duty to preserve the funds from loss as far as practicable, and, especially, to keep on hand such a capital, as will enable them to do business to the greatest advantage.

3. That it be earnestly recommended to every Presbytery, or at least to every Synod, to establish a depository which shall be their own property, by collecting, on such plan as they may deem best, a sufficient sum of money to fill the depository on the principle of cash purchase.

Church Membership of Ministers.

An overture from the Presbytery of Miami, brought up the question, whether ministers should have their names enrolled as members of particular churches? This question the Assembly answered in the negative. Several members agreed in favour of an affirmative answer on such grounds as the following: A minister without pastoral charge is not connected as a member with any particular church, unless his church relation is sustained and continued, notwithstanding his ordination. Again, cases may occur in which a minister may be deposed and yet not excommunicated, he is then no longer either a minister or church member; he is not subject either to a presbytery or session. It was also argued that our constitution does not authorise a presbytery to excommunicate [which we presume is a mistake]; the presbytery, it was said, may direct, but the session executes. If then a minister is excommunicated, how can the sentence be carried into effect unless he is enrolled as the member from some particular church, and when no longer a member of the presbytery, subject to the jurisdiction of its session?

The brethren who argued for a negative answer to the overture, contended that membership in a particular church necessarily involved subjection to the session of that church, but as the minister is not subject to the session, he should not be enrolled as though he were under its authority. The relation which a minister sustains as a member of pres-

bytery having jurisdiction over a session, is inconsistent with his subjection to that session as a church member. And although a ruling elder may, as a member of presbytery, be over a session, and yet as an elder, subject to its jurisdiction; yet as he is only a member of the presbytery during its sessions, and by special delegation, his relation to the church and to its session is essentially different from that of a minister. The General Assembly has decided that licentiates are members of particular churches, and subject to the jurisdiction of the session, until they are ordained; which of course implies that their relation to the church is changed by ordination; which is no longer that of membership in a particular church, but that of an overseer of a particular church and member of the church in general. When he ceases to be a minister, he becomes *de facto* subject to the particular church within whose limits he may reside.

This whole question seems to be one more theoretical than practical. There was no diversity of opinion as to the relation in which a minister stands to the church, but only as to the proper mode of denominating and expressing that relation. All admit that while he has a right to the privileges of a particular church, he is not subject to the jurisdiction of its session, and that he has no need of a letter of dismission and recommendation to entitle him to the same privileges in another particular church. Is he then a member of any particular church? That depends on what is meant by member, or on what membership implies. If it implies nothing more than a right to the privileges of the church for himself and children, he is a member; but if it also implies subjection, he is not a member. In all other cases it confessedly does imply subjection. It would seem very incongruous and of evil tendency, to express by the same term and in the same way, relations so essentially distinct, as those in which a pastor and private Christian stands to the same church. The decision of the Assembly, accordant as it is with the usage of all Presbyterian churches, will, we doubt not, meet with general approbation.

Baptism of Orphans.

A memorial was presented from the Presbytery of Lodiana, respecting the baptism of the orphan children of heathen parents, to which the Assembly returned the following answer.

Dear Brethren—You have submitted to us questions respecting a subject,

which, we have no doubt, is one of very great importance, in regard to the progress of religion among the heathen. We have seriously considered it, and give you here the result of our deliberations.

You present to us three questions, to which we reply, in the order in which the same are presented.

1. "Are all orphan children of heathen parents committed to the care of our mission, entitled to the benefit of the ordinance of baptism, without respect to their ages?"

We reply—certainly they are not.

You must make the same distinction that you would make, if their parents were alive and members of the Christian church and desiring to have them baptized—the same distinction which is made in Christian countries. We add—let those children only be baptized, in every case, who are so committed to the mission, or other Christian tuition, as to secure effectually their entire religious education. On this point, great caution is necessary.

2. You ask, (on the presumption that the preceding question is answered in the negative,) "Are those only to be baptized who have not attained to years of discretion?"

This question we answer in the affirmative.

3. Your third question is, in substance, as follows—"If those only who have not attained to years of discretion are to be baptized, at what age shall the federal right be supposed to cease, and personal responsibility to commence?"

Although it is not difficult to answer this question in accordance with the standards and the practice of the Presbyterian Church, yet the rule may frequently be found difficult of application.

Our answer to the question, however, is;—the officers of the Church must judge in each particular case, whether the proposed subject of baptism has arrived at years of discretion or not. We can adopt no other rule in our own practice, and we can recommend no other to you. We refer you to chap. ix. sec. 2, of our Directory for Worship.

If the person proposed to be baptized has acquired that maturity of mind, which renders him capable of making an intelligent profession of religion himself, he ought not to be baptized on the faith of another. Our Confession of Faith recognises the right to baptism of the infant children only of such parents as are members of the church. We do not doubt that in heathen countries, children of heathen parents ordinarily arrive at, what are called years of discretion, later than those who enjoy the advantages of Christian instruction in early life; but in a country where the religion of all consists in forms and ceremonies, great care should be taken that the Christian religion does not even appear to partake of the formality and emptiness of Mohammedanism and Paganism.

Lane Seminary.

Certain memorials and papers respecting Lane Seminary, were reported to the Assembly by the committee on bills and overtures, together with a resolution to the effect that it is inexpedient for the Assembly to take any measures for commencing legal process in relation to that institution. This resolution, after debate was *unanimously* adopted. No member of the Assembly, as we are informed, spoke in favour of commencing any legal process for the purpose of obtaining control of the Seminary in question, though several seemed to

think it incumbent on the Assembly to do something in the case, and therefore a motion was made to postpone the consideration of the resolution offered by the committee of overtures, with a view to refer the subject to a committee to examine into the facts and to confer with the present authorities of the Seminary, which committee was to report to the next Assembly. This course was particularly recommended by the Rev. W. L. Breckinridge, who considered that the intention of the original donors was to found an institution whose professors should be under the care of the General Assembly of the Presbyterian Church. The first donors were the Messrs. Lanes, strictly orthodox in their doctrinal sentiments, who made their overtures to the Rev. Dr. Wilson of Cincinnati; a fact sufficiently expressive of their intentions. Mr. Kemper, the next donor, was a Presbyterian minister, cordially connected with us. Mr. B. stated other facts in relation to the origin of the institution, which, in his judgment, went to prove that it was the design of its original founders to have it under the control of the church now represented by this Assembly.

Chancellor Johns said he had given strict attention to the deed, charter, and all the documents of the case, and was perfectly convinced that not the least particle of interest in the Lane Seminary was vested in the General Assembly, nor any power to interfere in case of the perversion of the trust. It was explicitly declared as an essential qualification of the professors that they must be members of the Presbyterian church in connexion with the General Assembly, but this gave no authority or power to the Assembly to interfere in case this qualification was disregarded. And hence the Assembly could not be recognised as a party in any court of law or equity to correct an abuse of the trust. He did not wish to be understood as intimating that the trust had not been abused, or that there was no remedy for the abuse, but simply that neither the obligation nor the power to apply that remedy rested with the General Assembly.

Dr. Hoge added the further consideration, which he said had great weight in his mind, that the present occupants had greatly improved the trust, by the erection of buildings, and in other ways, so that if it were offered to us to day we ought to reject it. He stated moreover, that a year after the organization of the Seminary its conductors applied to the Synod of Ohio for their countenance and aid, but the

Synod seeing that the charter did not secure the trust to the Presbyterian church, unanimously (or nearly so) proposed that if the trustees would procure such a change in its principles as to give the control to the Synod, or General Assembly, they would grant their patronage. But this proposal was rejected.

After these representations and arguments the motion to postpone the resolution of the committee of Bills and Overtures, was put and lost, and then that resolution, as above stated, was unanimously adopted. We hope this unanimity will convince the brethren more immediately interested in this matter, that the action of the Assembly in the case is not only wise but determined by right motives.

Bi-centenary Celebration.

The last Assembly appointed a committee to take into consideration the proper method for celebrating the two hundredth anniversary of the meeting of the Westminster Assembly. The Rev. Dr. Breckinridge, chairman of that committee, submitted an elaborate and instructive report on the history and services of that venerable body, which was committed and made the subject of the following report, which was adopted.

The Committee to whom was referred the Report on the observance of the Bi-centenary of the Westminster Assembly, having considered the subject, recommend it to the favourable consideration of the Assembly.

A correct knowledge of the character of that Assembly, of the purpose for which they were convened, of the difficulties of their position, of the arduous nature of their task, and of the results of their labours, shows the extent of the benefits which they have conferred on the interests of truth and freedom. And our Church in common with other churches, which have been formed on the same model, must feel that the occurrence of the Two Hundredth Anniversary of their meeting, is a deeply interesting period in the lapse of time, and may be greatly profited by its appropriate commemoration. It is, therefore, recommended to the Assembly, to adopt, with some modification, the propositions reported by the Committee of the last General Assembly;—as follows:

1. *Resolved*, That it is highly important that the venerable standards, prepared by the Westminster Assembly, as substantially adopted by the Presbyterian church, shall be more carefully studied, more perfectly understood, and more faithfully observed by all the members and office-bearers of this Church; and that the children of the Church be early and faithfully taught to understand and observe them.

2. That an accurate acquaintance with the history of the past trials, persecutions and faithfulness of the true Church, and especially of our own branch of it, should be diligently sought, particularly by those who are office-bearers in the Church; and, as one method of accomplishing this object, it is recommended that the 1st of July, when convenient to do so, and when not convenient, on such other day during the current year, as may be deemed expedient, be observed as a season specially devoted to the general instruction of our people, by the ministers, in the great facts connected with this subject.

3. That it is the ardent desire of this Church to maintain friendly and fraternal relations with all evangelical churches; and especially to be in more close and perfect union with those, who maintain and adopt our own formularies, or others of kindred spirit and form.

4. That the fourth proposition of the committee of the last Assembly, respecting the preparation of a Commentary on the holy scriptures, be referred to the Board of Publication, with instructions to report thereon to the next Assembly.

And, whereas a portion of our brethren of the Church of Scotland, are now contending for those great principles, which we and they have received from a common source,

5. That this General Assembly express deep and cordial sympathy with them in the trials they now endure, and the sufferings they may yet be called to bear; and earnestly pray that they may come forth from this "great fight of afflictions," in the full enjoyment of that "liberty, with which Christ makes his people free," and that, in the mean time, they may, in all their difficulties and troubles, be favoured with the guidance and consolations of the Holy Spirit of God.

Among the recommendations contained in the report presented by Dr. Breckinridge was one to the following effect: "That the Assembly take such order as shall be needful to cause to be prepared in convenient seasons, by competent persons chosen from time to time by the General Assembly, a complete, but comprehensive commentary on the whole word of God, expounded according to the system embodied in our standards, and so that this great and necessary work, being fitly accomplished, our congregations may have a standard exposition of our whole doctrine, and not be exposed, as now they are, in that regard; so that this work may be connected, at least in its origin, with this memorable occasion, and be published as it shall be from time to time prepared." As the reports of the debates in the Assembly are imperfect, we are not informed what was said in reference to this subject; but it seems that the Assembly decided on referring the matter to the Board of Publication.

The report also included a recommendation that special prayer be made for our suffering brethren of the church of Scotland, and that in the course of the current year a collection be made in their behalf in all our churches. For these recommendations the committee substituted a general resolution of sympathy. This on the whole was wise, for at that time there was no information of the actual separation of the non-intrusion party from the establishment, and no official information of the principles on which the new church was to be organized. The late arrivals from Great Britain have brought us this information; between four and five hundred ministers have given up all connection

with the established church, and together with the people adhering to them declared themselves the Free, or Protestant Church of Scotland. This great secession is one of the most important events in the history of Scotland. Since the Act of Uniformity there has been no such public and general sacrifice of interest to principle, and it cannot fail to secure the approbation and admiration of the Christian world. The low murmur of disapproval which escapes from the lips of a few of the old secession, who have not been able to overcome their early prejudices, is lost in the general acclamation with which this great event is hailed. There may be some diversity of judgment as to the wisdom of some of the steps of the non-intrusionists; whether it was for the best to pitch their battle on the veto act; or whether, when that act had been pronounced inconsistent with the law of the land, they ought not to have adopted some other method of accomplishing their object; but there can surely be no difference of opinion among Presbyterians as to the importance of the object for which these brethren have contended, or as to the impossibility of reconciling the legitimate independence of the church with the principles which have been established by the decisions of the Scottish courts. It is doubtless known that the present difficulties in that church have arisen principally from two sources. First, from the determination of the General Assembly not to allow a minister to be forced upon a congregation as their pastor, contrary to their own wishes; and secondly, from their assigning equal rights as members of church judicatories to all ordained ministers, whether pastors of regular parishes, or of chapels of ease, or unendowed churches. To accomplish the former of these objects, the Assembly in 1834 passed the veto act, enjoining upon all presbyteries to abstain from proceeding to the ordination and installation of any licentiate presented to a particular congregation, whenever a majority of the male heads of families, being members in full communion of the church, objected to his settlement. This act having been approved by a great majority of the presbyteries, became a law of the church. When a presbytery, acting under this law, refused to take on trial a presentee, with a view to his ordination and induction, against whom a great majority of the people objected, he applied to the civil court for an order for the presbytery to proceed with his trials, and if found qualified, to ordain and induct him as minister of the parish, the objections of the people

to the contrary notwithstanding. This order was granted. A majority of the presbytery refused to obey it, a minority consented, and did ordain and induct the candidate; for this disobedience to the law of the church they were deposed from their office in that church; this sentence the civil courts set aside; declared the minority, consisting of deposed ministers, the legal presbytery. They granted large pecuniary damages against the members of a presbytery for refusing to disobey the veto act. Some of the acts of aggression by the civil courts were peculiarly oppressive. A presbytery was forced to give effect to a call to which one solitary name, that of a tavern-keeper dependant on the patron, was appended, while the whole body of the people were opposed to it. Let it be considered that the call in Scotland is the same in substance as with us. It purports to come from the people, to declare their approbation of him and their desire to have him for their pastor. How can godly men consent to give effect to the solemn falsehood that the people call a man against whom they with one voice protest? How can they bear to hear the candidate declare before God that he has used no improper means to gain the call of a people, who at the very moment are opposing his induction? Yet to this degradation are the ministers and elders of the church reduced by the existing laws of Scotland. To this the non-intrusion party could not in conscience submit. Nor could they acknowledge the right of the civil courts to pronounce their spiritual acts invalid; to interdict their preaching and administering the sacraments in obedience to their own presbyteries; or to restore ministers or licentiates to their standing in the church, in despite of the authority of the church itself.

With respect to the second source of difficulty, it will be remembered that parishes are civil and ecclesiastical divisions of the territory of Scotland, of a very ancient date. Some of these parishes, once rural districts, are now populous villages or cities. Instead of including a number of people not too great for the superintendence of a single pastor, they embrace in many cases, a population of ten, twenty, or thirty thousand. It is principally this state of things that has given rise, not to the formal and civil division of parishes, but to the erection of several churches within the same parish. The ministers of these new churches are called ministers *quoad sacra*, and by an act of the General Assembly, seeing they were ordained to the

office of presbyters which entitles them to rule as well as to teach, were admitted to their full rights as members of presbytery. This right, a recent decision of the civil court has denied them. A minister accused of theft or some other gross immorality, was accused before his presbytery. He thereupon applied to the civil court to arrest their proceeding in the case, on the ground that certain *quoad sacra* ministers were allowed a seat in the body. The interdict was granted and the proceedings in the case arrested. All these and similar acts of encroachment, the non-intrusionists regard as not only inconsistent with the liberties of the church, derived from her Divine Head, but with the constitution of the Church of Scotland and with the stipulations of the Treaty of Union; and in this opinion they are sustained by a large part of the most learned members of the Scottish judiciary. In all these offensive decisions, we believe the Court of Sessions, has been divided in opinion, and generally in the ratio of seven to five. The following extract from the Protest presented to the late Assembly, at the time when the non-intrusionists withdrew from that body, state in few words the grounds of their complaint.

“1st. That the Courts of the Church as now established, and members thereof, are liable to be coerced by the Civil Courts in the exercise of their spiritual functions; and in particular in their admission to the office of the holy ministry, and the constitution of the pastoral relation, and that they are subject to be compelled to intrude ministers on reclaiming congregations in opposition to the fundamental principles of the Church, and their views of the Word of God, and to the liberties of Christ’s people.

“2d. That the said Civil Courts have power to interfere with and interdict the preaching of the gospel and administration of ordinances as authorized and enjoined by the Church Courts of the Establishment.

“3rd. That the said Civil Courts have power to suspend spiritual censures pronounced by the Church Courts of the Establishment against ministers and probationers of the Church, and to interdict their execution as to spiritual effects, functions, and privileges.

“4th. That the said Civil Courts have power to reduce and set aside the sentences of the Church Courts of the Establishment, deposing ministers from the office of the holy ministry, and depriving probationers of their license to preach the gospel, with reference to the spiritual status, functions, and privileges of such ministers and probationers—restoring them to the spiritual office and status of which the Church Courts had deprived them.

“5th. That the said Civil Courts have power to determine on the right to sit as members of the Supreme and other Judicatories of the Church by law established, and to issue interdicts against sitting and voting therein, irrespective of the judgment and determination of the said Judicatories.

“6th. That the said Civil Courts have power to supercede the majority of a Church Court of the Establishment, in regard to the exercise of its spiritual functions as a Church Court, and to authorize the minority to exercise the said functions, in opposition to the Court itself, and to the superior Judicatories of the Establishment.

“7th. That the said Civil Courts have power to stay processes of discipline pending before Courts of the Church by law established, and to interdict such Courts from proceeding therein.

“8th. That no pastor of a congregation can be admitted into the Church Courts of the Establishment and allowed to rule, as well as to teach, agreeable to the institution of the office by the Head of the Church, nor to sit in any of the Judicatories of the Church, inferior or supreme, and that no additional provision can be made for the exercise of spiritual discipline among members of the Church, though not affecting any patrimonial interests, and no alteration introduced in the state of pastoral superintendence and spiritual discipline in any parish, without the coercion of a Civil Court.”

These decisions of the highest civil tribunals, having authoritatively given the law establishing the Church of Scotland, an interpretation different from that which a large part of its members believe to be the true one, they have thereby established a new condition to the union between the Church and State. The Church therefore, was called upon to say, whether she could with a good conscience, submit to that new condition. To this question a large portion of her ministers, elders, and people have given a negative answer. They say, whereas they had formerly believed that “the State by the acts of the Parliament of Scotland, forever and unalterably secured to this nation by the Treaty of Union, had repudiated any powers in the civil courts to pronounce such decrees, [as those above specified,] we are now constrained to acknowledge it to be the mind and will of the State as recently declared, that submission [to such decrees] should and does form a condition of the Establishment, and of the possession of the benefits thereof; and as we cannot, without committing what we believe to be sin—in opposition to God’s law—in disregard of the honour and authority of Christ’s crown, and in violation of our own solemn vows, comply with this condition, we cannot in conscience continue connected with, and retain the benefits of the Establishment, to which such condition is attached.”

We think no one, after reading this exposition of the grounds of the secession of the non-intrusionists, can hesitate to admit that the principles for which our Scottish brethren contend are legitimate and important. They are the principles which lie at the basis of our own ecclesiastical organization; and which we, as a church, believe have the sanction of a divine right. The unfortunate declaration, therefore, of a few members on the floor of our own Assembly, that these brethren were not contending for the true principles of religious liberty, is by this noble Protest covered with confusion.

We think it no less clear the secession of our brethren was right and necessary. We have always maintained that outward union in the church is of great importance, and is never to be broken unless in order to preserve that union, we are forbidden to profess or preach the truth, or forced to profess what we do not believe, or are either prevented doing our duty or called upon to commit sin. We know no legitimate grounds for the secession of ministers from the church to which they belong, that do not come under one of the heads just mentioned. There is none among us who doubts that it would be sinful to submit the order and discipline of the church to the power claimed and exercised in Scotland by the civil courts, and therefore, no one, we presume, can doubt that our brethren were right in refusing such submission.

It has been said that these brethren do not "deserve" our sympathy because they are the advocates of a religious establishment. If by this is meant that they are in favour of a church supported and controlled by the State, their own protest shows the contrary. If it merely means that they are, to use the language of Dr. Chambers, "advocates for a national recognition and national support of religion;" that they believe it to be the duty of the State to sustain the teachers of religion, as they sustain the teachers of schools, it is true. But is this a point about which good men may not agree to differ? The question whether the ministers of religion should be supported by the voluntary contributions of the people; or by a tax upon the holders of property; or by permanent endowments, is one on which the church even in this country has only within a few years come to any thing like a unanimous opinion. Experience has taught us that the voluntary principle may be relied upon with as much confidence as that of governmental support; that it is free from many of the evils to which the other method is exposed, and that it is healthful in its influence on the people themselves. The peculiarity of our circumstances, the nature of our government, and the multitude of our conflicting sects, render the adoption of the opposite plan, in our case, not only undesirable, but almost impossible. But this surely is no reason why we should withhold our sympathy from men who agree with us so perfectly in doctrine; who are among the best and greatest men of their age; and who are making a sacrifice to sustain the principles which we hold in common, such as have seldom been made in

the history of the church; even though they do hold that the authority of Christ extends not only over individuals but communities, not only over the Church but over the State, and that as such the State is bound to do him homage and to sustain his cause. Though we may differ from them as to the idea of the State, and as to the nature and extent of its duties, we bid them Hail! May God be with them; we wish to suffer their reproach and be partakers of their sorrows. May our church never separate itself from such men, or from the principles for which they suffer.

As to the question whether we should attempt any general collection in behalf of our protesting brethren in Scotland, we think the Assembly acted wisely in postponing a motion to that effect, as premature. The disruption had not taken place; the facts necessary for enlightened action were not then known. But now that the separation has occurred, and the facts so full of interest are known, the question is fairly open. We hope that the commissioners to the next Assembly will come together determined not only to give the hand of fellowship to our Scottish brethren, but to recommend to all the churches, to send them a worthy testimony of that fellowship. We should not forget that about a century ago, we, in the time of our infancy and need, solicited the aid of the Church of Scotland; that her Assembly ordered a collection to be made in our behalf in all her congregations; that the College of New Jersey, built in a great measure with the funds thus obtained, stands a lasting memorial of the fellowship thus early felt and acknowledged between the two churches. We hope some not less imposing building may be erected in Scotland through the liberality of our churches, to bear a testimony not less enduring, that American Presbyterians are not unmindful of past benefits, or unfaithful to their principles. We shall not be the poorer for any thing we may take from the spoiling of our goods for such a purpose.

Ruling Elders.

The question was overtured to the Assembly of 1842, whether ruling elders had, under our constitution, the right to join in the imposition of hands in the ordination of ministers; and was decided by an unanimous vote in the negative. As this answer was given without debate and during the absence of some members who took an interest in the subject, a vote was taken to reconsider the subject; and

it was then laid on the table and passed over with other items of unfinished business to the late Assembly. In the meantime the Synod of Kentucky had decided in favour of this supposed right of elders, and a protest was entered by the minority against the decision. The Presbytery of West Lexington sent up an overture in the form of a resolution declaring it to be their judgment that, according to the constitution of our church, ruling elders have the right to unite with preaching elders in laying on hands in the ordination of ministers. The committee submitted a resolution declaring that neither the constitution nor practice of our church authorizes the ruling elders thus to participate in the act of ordaining ministers. This resolution became the topic of an extended discussion, and was finally adopted by the following vote: *yeas* 138; *nays* 9; *non liquet* 1; *excused from voting* 4. Of the *nays* one voted under instructions, his private judgment being in favour of the affirmative; and four were elders, so that the proportion of elders in favour of this new claim was not greater than that of ministers. Rev. Wm. L. Breckinridge was the principal speaker in opposition to the resolution of the committee and in favour of the right in question. His argument was sustained by the Rev. Mr. Cunnings, and we believe one other member. We present the best report of Mr. Breckinridge's speech that we have seen; borrowing it from the Presbyterian of June 3d. The report is necessarily imperfect and does not do justice to the ability of the argument, which was moreover greatly recommended by the liberal and courteous spirit which characterized its delivery. Mr. B., we think, did full justice to his side of the question, and said all that well could be said pertinently to the question; for, as he himself remarked, the real argument on that side is comprised in a very narrow compass.

Rev. W. L. Breckinridge stated that the subject came up in his presbytery in 1841; that it came before synod last year, in reviewing the records of presbytery, and that thirty-five voted in favour of the practice, twenty against it, and ten voted non-liquet. He conceived it to be simply a matter interpretation of the constitution—an inquiry into its meaning. It need not be inquired at present, what is the meaning of scripture? because it is a settled question that our book accords with scripture. He would not be understood as intimating that scripture is not the ultimate standard; but only that it was not necessary to appeal to it at this stage

of the question. The appeal is not to the Church of Scotland, however much we may venerate her. It is not her constitution that is in question, but our own. The question at present is not what the Assembly of Westminster Divines taught: he did not consider any of these opposed to him, but he would not bring up any thing which would turn our attention from the single point before us. He did not consider our own usage, or the usage of the framers of our constitution, as of consequence to the settlement of the question; but the simple point is—what says the constitution? The literal sense of the constitution, is the only point bearing directly on the question. Surely no one will think usage a safe interpreter, or capable of deciding the matter in debate. Usage sanctioned the plan of union; but was this considered a good argument for continuing it? It was discussed until the plan of union and the usage of thirty years were alike declared unconstitutional. . . . Let us admit that the alleged novelty of the practice in question is true; yet this is no argument to prove that the general usage, however old, is right. If novelty be a ground of valid objection, then the Reformation itself must be wrong. . . . There were some opinions connected with the subject, which, previous to coming to the main point, he wished to disclaim. He did not, for instance, believe in the *jus divinum* of Presbyterianism, or of any other form of church government. He was not prepared to unchurch all who did not agree with him in respect to the best form of the church. He believed that God has settled the great principles of ecclesiastical government; but not that he has defined any particular form. He did not believe in the warrant for ruling elders, in the sense of a *jure divino*; nor base his argument for that office on the principle of the common interpretation of the passage in Timothy, usually alleged in its support. Elders are ecclesiastical men, but not clerical. Their rights are, to a certain extent, coincident with those of the preaching elders; they are not the same as to official dignity. In Timothy, as will be seen by comparing the context, *elders* do not mean those who are such officially: but *aged* ecclesiastical persons, who on account of their years and experience, are worthy of veneration. It would be seen, therefore, that he did not derive his ideas of the superior dignity of the preaching elder from this passage. For certain purposes, and in certain acts, the honour and privilege of the two classes of elders

are the same. As for example, on this floor, where both are equal, except perhaps, in this, that the moderator must, by a provision of the constitution, always belong to the order of preaching elders, because it is proper that every meeting of this court should be opened with a sermon. From this equality of the two orders in all our church courts, he derived his first argument for their equal right to impose hands in ordination. The lowest judicatory, the session, owing to the structure of our system, presented an exception to our general remark on the courts. In this, the preaching elder presides only, and the ruling elders have all the power. . . . It is the sense of the constitution, that every court (above the session,) should consist of an equal number of the two orders, and that they should have the same dignity, power, and rights. In our Form of Government, ch. x., presbytery is defined and its powers enumerated. Here we find it consisting of two orders of ecclesiastical men, possessing a perfect equality of rights, and whose duty it equally is to ordain ministers. By the theory of the constitution, the presbytery consists of an equal number of preaching and ruling elders, and that all have equal rights and powers in that court. Ordination is to be performed by the whole body—by a body, the rights of whose members are all equal—and if done by the whole, certainly the constituent parts of that whole have equal right to participate. This is a simple and sufficient argument for the rights of the ruling elder, which cannot easily be set aside. But there are some objections which lie in the way of brethren, and which he would attempt briefly to remove. It is objected, that elders, in a session, may vote that a person may be baptized, but they cannot baptize him; so, in a presbytery, they may vote that a man may be ordained, but they cannot ordain them. The force of this is removed, by keeping in view the distinction between the action of a court, and the official act of a person belonging to the court—between a sessional or presbyterial act, and a personal, and individually official act. The baptism of a person is not a *sessional* act, but the ordination of a person is a *presbyterial* act; the parallel between the two cases does not hold, and therefore the objection founded on that supposed parallelism falls to the ground. Another objection is that an elder cannot take a newly ordained minister by the hand, and use the words prescribed in the constitution, “I give thee the right hand of fellowship, to take part in this

ministry with us." But the direction of the constitution is express, that *all* the members of Presbytery shall do this, and thus takes away every ground of scruple on this subject. The member that presides shall do it first, and then all the members of presbytery in their order. Is the member that presides, a member of the presbytery in any sense that the other ministers are not? Is he a member in any sense in which the elders are not? No one will maintain this. All are equally members of the presbytery, and have equal rights. But it is still objected, that an elder has no ministry, and therefore the prescribed form of words, in his mouth has no meaning. But the book is explicit in its direction, that all the members should give the right hand of fellowship, and there must be a sense in which the words in the mouth of an elder have a meaning. The elder has a ministry in the government of the church as well as the bishop; and with the utmost propriety, he can welcome the bishop to take part with him in that ministry. "And all the members of presbytery, *in their order*," &c. Here, the constitution indicates the two orders, of which presbytery is constituted, and who equally give the right hand of fellowship. "In their order"—does this mean successively? No—but that in their respective order, as bishops and elders, they shall perform the prescribed act. . . . He might meet other scruples, and produce additional considerations in opposition to the report of the committee, but he was unwilling to trespass longer on the time and patience of the house.

The principal speakers in favour of the resolution were Mr. Fraser, Mr. Baker, (elder,) Dr. Leland, the Chancellor Johns, Dr. Maclean, and Messrs. Junkin, Eagleson, Smith and Howard. The main argument, on the other side is, that the constitution declares that a Presbytery consists of ministers and ruling elders; that ordination is the work of the Presbytery; and therefore, as much the work of elders as of ministers. This, which is so much the most plausible, that it may be said to be the only argument in favour of the right in question, rests entirely on the meaning of the constitution. How is this to be determined? How do we proceed when we wish to ascertain the sense of a passage of scripture? The thing to be done is to find out what idea, Paul or John in using certain language, meant to convey. If we can ascertain that, we have that sense of the words which we must admit to be the true one,

and, in the case of a rule or precept, the one which we are bound to obey. To ascertain the sense which an apostle meant to express, we ascertain in the first place the literal, etymological meaning of the words. In a multitude of cases, this is enough. Very often, however, the words in themselves will bear different interpretations; to determine which is the true one, we ascertain how the author uses the same language in other parts of his writings; how it was used by cotemporary writers; how it was understood by those to whom it was addressed; how it is explained by the nature of the thing spoken of, by the design and connexion of the passage in which the language occurs, and by other declarations relating to the same subject; and finally how the conduct of the sacred writers and of those whom they instructed, interprets the language in question. If they so acted as to show they understood the language in a certain way, that is the way in which we are bound to take it. Paul calls Christ a sacrifice; but in what sense? in the sense of a propitiation? or in the sense in which we are exhorted to offer ourselves as a sacrifice to God? The words in themselves will bear either interpretation; but as we find Paul uses the language in reference to Christ in many places in such a way that it can only have the former of these senses; as in all cotemporary writers, this language was used to express the idea of a propitiation; as those to whom it was addressed universally understood it in that sense; as the effects ascribed to the sacrifice of Christ, such as pardon of sin, &c., show the sense of the term; as many declarations used in relation to the same subject admit of no other meaning; as the conduct of the apostles and their disciples in placing their hopes of acceptance with God, on the death of Christ, and in exhorting others to do the same, proves that they regarded it as a real propitiation, we are sure that this is the true sense of the language which they employ. We say that the constitution is to be interpreted by these same principles and that we are bound to abide by the sense thus elicited. Let it be admitted that the words presbytery, member, and ministry, as used in our book, may in themselves admit of the interpretation put upon them by the advocates of the other side of this question, yet if this interpretation is inconsistent with other parts of the book; if it is inconsistent with the sense in which this language was used by cotemporary writers; with the sense in which it was understood by

those to whom it was addressed ; if it is incompatible with the nature of the service spoken of, and the rights and duties of elders as elsewhere explained ; and if it is inconsistent with the practice of those who framed the constitution and of those who adopted it, then we are perfectly sure that it is not the true meaning of that instrument. As to the first of these points it is clear that a presbytery, in the sense of our Book, is a body of ministers regularly convened, in which ruling elders have a right to deliberate and vote as members ; that the ministers are the standing, constituent members, the elders, members only as delegated, for a particular meeting, and for the special purpose of deliberating and voting. This is the idea of a presbytery on which our whole system is founded ; and which runs through our whole constitution. An interpretation of any particular passage, inconsistent with this distinction, is inconsistent with the constitution. It is by virtue of this leading principle the presbytery often means the body of ministers who are its standing members, without including the delegated, any more than the corresponding members who may happen to be present. Hence, too, the presbytery is said to do what its standing members do, in obedience to the vote of the body ; and hence the word "member" is used only of ministers.

Again, the interpretation which makes the expression "the hands of the presbytery" include ruling elders, is inconsistent with the sense that language bears in all writings cotemporary with our standards, or of authority in Presbyterian churches. Thus in the Westminster Directory, whence our formularies were derived, this language is admitted to mean the hands of the preaching presbyters, because it can there have no other meaning, since the Directory elsewhere teaches that the work of ordination belongs to ministers. It has the same sense in Stewart's Collections, a book still of authority in Scotland, as it was formerly with us ; it has the same sense in all the publications of the age in which our Confession of Faith was formed, which are regarded as giving an authentic exposition of Presbyterian principles. This is the point to which Dr. Maclean principally directed his remarks ; and which he demonstrated in the clearest manner by abundant references to the works in question. What would be thought of an interpretation of an expression in the writings of Paul, which was inconsistent with the sense the phrase had in every other book in the Bible ?

Again, as the ministers and elders who adopted our constitution had been accustomed to understand the expression "hands of the presbytery" in the sense in which it is used in the Directory, under which they had so long acted, it is clear they must have understood it the same way, when that expression was transferred to the new constitution. And if it be a sound principle of interpretation that we must take the language of any document in the sense which it was designed to bear to those to whom it was addressed, then we are bound to take the constitution in the sense in which it was framed and adopted. That is its true sense; the sense in which it is obligatory on the church.

Again, the new construction of the passage in question, is inconsistent with the nature of the subject spoken of, and with the doctrine elsewhere taught in our standards concerning the office of the ruling elder. When it is said: God sits on a throne; or, This is my body, we know that the language is not to be taken literally, because the literal interpretation is inconsistent with the nature of the subject spoken of, and with what is elsewhere taught concerning God, and the Lord's Supper. So when it is said that the presbytery shall ordain, we know that the standing and not the delegated members are intended from the nature of the service. When it is said "some member" shall open the sessions of the judicatory with a sermon, the nature of the service, of necessity, limits the phrase to those members that are entitled to preach. So when ordination to the ministry is the subject, the language is of necessity confined to those members who are in the ministry; who can say to the newly ordained brother "we give you the right hand of fellowship, to take part in this ministry with us." The word ministry means ministry of the gospel, and in our standards it means nothing else. The language just quoted means and can only mean, 'we recognise you as a fellow minister of the gospel.' This act of recognition is from its nature confined to those who are in the ministry. Besides, as ordination is a solemn setting apart to a certain office, it belongs according to the doctrine of all churches, except the Brownist, to those who are clothed with the office conferred, or one superior to it, and which includes it. If ordination were merely induction into the order of presbyters, from which some members by a subsequent process, were selected to preach, and others to rule, then the service might from its nature belong to all presbyters; but as beyond dispute

ordination is an induction into a particular office, it cannot, according to our constitution, belong to any who do not hold that office. Ordination to the ministry is therefore as much a peculiar function of the ministry as preaching is. The construction of the constitution which would give ruling elders the right to join in the ordination of ministers, is no less inconsistent with what that constitution teaches of the nature of the office of ruling elder. Ordination is an act of executive power, which does not pertain to the ruling elder. They have the right to deliberate and judge, but the execution of the determinations of our judicatories belongs to the ministry. This argument was thus presented by Chancellor Johns: "The constitution of our church confers upon its officers three kinds of power—legislative, judicial and ministerial. The ruling elders are clothed by the constitution with the first two, legislative and judicial, and can carry with them nothing else place them where you may. Look at your elder in the lowest court, the church session. He sits here as a legislator and a judge. But the moment you have to execute the sentence which is passed in this court, it devolves on your minister as the executive. Trace the elder up to the presbytery or synod, there he appears as the representative of the church, but only with legislative and judicial power. When the constitution refers any act to this body, it requires that it be done in a constitutional manner, and by those possessing the requisite constitutional power. After the decree has been passed that a man shall be ordained, it follows that it must be done by those who are not defective in power. It is clear that the moment you decide that ordination is a ministerial or executive act, that moment you decide that it must be performed by those possessing ministerial or executive authority. The execution of the acts necessarily devolves on the competent parts of the body. A ministerial or executive act therefore can be performed only by ministers. Unless you make an elder a minister at once, I never can admit that he can perform an act belonging to the ministerial office. This distinction unlocks the whole difficulty. On this principle, the presbytery give the right hand of fellowship to a co-presbyter 'to take part of this ministry.' But ruling elders are not in the 'ministry,' and therefore even this act does not belong to them."

Mr. Breckinridge says a minister, *per se*, has no power to ordain, but only as a member of presbytery, and adds—

“The question comes to this, do ministers as such ordain, or is it as members of presbytery? If as the latter, and not as the former, then elders being equally members of presbytery, share in the act, and in the executive power vested in the whole body.” If the whole matter depends on the question, whether ministers, as such, ordain, or only as members of presbytery, we think it may be soon settled. Mr. B. appears to think that ministers and church courts get all their powers from the constitution; whereas the constitution is but the declaration of the powers which belong to ministers and judicatories, and the stipulations agreeably to which those who adopt it agree to exercise their respective functions. Suppose the constitution was out of existence, would ministers and courts have no power? Have not any number of ministers, no matter how or where convened, the right to ordain? Are not the ordinations by the ecclesiastical councils in New England valid, although such councils are not presbyteries within the definition of our book? An affirmative is the only answer that can be given to these questions; consequently ordination is a ministerial act; it is performed by ministers as such, and not merely as members of presbytery. It is true all the ministers of the Presbyterian church have entered into a contract with each other not to exercise this right, except under certain circumstances, or on certain conditions. They have agreed not to ordain any man who does not understand Greek, Latin and Hebrew; who has not studied theology with some approved minister, at least two years, who does not adopt our Confession of Faith and form of government. They have also agreed not to exercise this right unless regularly convened after due notice, that all interested and having a right to be present, may have the opportunity. The reason of all this is obvious. These ministers are connected with others; every man whom they ordain, becomes a joint ruler and judge over all the others; the others therefore have a right to a voice in his ordination, that is, to a voice in deciding under what circumstances or on what conditions ordination may be administered. But this does not prove that the power to ordain comes from the constitution, or that it belongs to ministers only when convened in what we call a presbytery. Any two or three ministers, and (according to Presbyterian doctrine, as we understand it,) any one minister has as full right to ordain as Timothy or Titus had. Presbyterial ordination is ordination by a

presbyter or presbyters, and not by a presbytery, in our technical sense of the term. This is surely the doctrine of the scriptures, and the only doctrine on which we can hold up our heads in the presence of prelacy. It is the only ground on which we can admit the validity of ordination by a single prelate, or by an ecclesiastical council, or, in short, of any ordinations but our own. If then, as Mr. Breckinridge says, the only question is whether ministers as such ordain, we think that even he, on reflection must admit that the right to ordain is inherent in the ministerial office, and does not arise from any provision of our constitution, or from the association of ministers and elders in the form of a presbytery.

Again, the new interpretation given to the constitution is contradicted by the practice of its framers, and the uninterrupted usage of the church. This consideration has been set aside as an argument from tradition. But no argument is more legitimate. No man can doubt that if we had authentic information how the apostles and their disciples acted in carrying out the commands of Christ, we should have the most satisfactory of all rules for the interpretation of those commands. Christ directed his disciples to celebrate the Lord's Supper as a memorial of him, and the conduct of the apostles and early Christians under that command, is the best possible proof of the perpetual obligation of the command. He directed them to teach all nations, baptizing them in the name of the Holy Trinity; the conduct of the disciples in baptizing whole households, is one of our best arguments in favour of infant baptism. Apostolic usage also is the main ground of our observance of the first day of the week as the weekly sabbath. The Protestant objection to the Roman doctrine of tradition is not that apostolic teaching and practice are of no authority, but that we have no authentic or satisfactory proof of what that teaching and practice were, except in the inspired scriptures. If papists will produce undoubted proof that the apostles understood the commands of Christ, and especially their own commands in a certain way, we will admit that such is the true way. So if our opponents will produce satisfactory proof that the framers of our constitution and those who adopted it, intended to express a certain idea by any of its provisions, we will admit that such is the true meaning of the instrument. As to the case in hand there is no room for dispute. The framers of our constitution find a certain expression in the Westminster Directory, under which they had long acted, and

where it had an undoubted meaning, they transfer that expression to the new constitution, and continue to act precisely as they did before, and the church has continued to act in the same way ever since. If this does not fix the meaning of the constitution, nothing can do it. No man, as far as we know, doubts or can doubt that the expression "laying on of the hands of the presbytery" was intended to mean the hands of the ministers, the standing members of the Presbytery, and that it has been so understood ever since. This being the case, we see not what shadow of proof there can be that such is not its meaning. Let it be remembered that while Presbyterians have ever contended for presbyterial ordination, they have always contended for *ministerial* ordination, and that no case of lay ordination, or of an ordination in which ruling elders participated, has been produced, or, as is believed, can be produced in the history of any Presbyterian church. Surely it is rather late in the day to begin to teach the whole Presbyterian world what are the first principles of their own system.

We have used above the expression *lay ordination*, without intending to decide whether ruling elders are laymen or not. This is a mere question of the meaning of a word. If a layman is one who holds no office in the church, then they are not laymen; and then too Dr. Lushington and other judges of the ecclesiastical courts in England are not laymen. But if a layman is a man who is not a clergyman, not a minister of the gospel, then they are laymen. The latter is certainly the common meaning of the word, which is used to designate those whose principal and characteristic business is secular, and not sacred, or clerical.

Finally, it was objected to the new doctrine that it was destructive of the office of ruling elder, by merging it into the ministry. The only satisfactory or constitutional ground on which the participation of elders in the ordination of ministers, can be defended is that they hold the same office, that they take part in the same ministry, or in short that elders are ministers. But this conclusion is subversive of the office of ruling elder and of our whole system. And *cui bono*, what good is to be attained, what evil cured by this new doctrine? It adds nothing to the dignity or usefulness of the elder's office. If it is a mere ceremony, it is not worth contending about; if it is a serious matter, it is so only because the principles on which the claim is made to rest, seriously interferes with our ecclesiastical constitution.

Quorum of Presbytery.

In answer to a question proposed in Overture No. 20, the committee reported the following resolution.

Resolved, That any three ministers of a presbytery, being regularly convened, are a quorum competent to the transaction of all business, agreeably to the provision contained in the Form of Government, ch. x. § 7. This resolution was adopted, *yeas 83, nays 35.*

We have seen no report of the debate on this motion, but from the protest presented by Messrs. Breckinridge and Junkin, for themselves and twenty other members, we gather that the leading objections to the ground taken by the Assembly were substantially as follows. 1. It was said to be in opposition to the letter and spirit of the constitution, which declares a presbytery to consist of all the ministers and one ruling elder, from each congregation within a certain district. As a presbytery is said to consist of ministers and elders, these form its constituent elements; and the body cannot be formed of only one of its constituent elements. The section which says that three members regularly convened, and as many elders as may be present, constitute a quorum of presbytery, shows that at least one elder is indispensable in order to the regular organization of a presbytery.

2. In sec. 10 of ch. x. which provides for the calling of extra meetings of presbytery, it is required that at least two elders should join in the call for such a meeting, and that due notice should be given to the session of every vacant congregation. This was supposed to prove that the elders are an essential part of the presbytery, and that the constitution designed to guard against any assumption of power by the ministry, to the neglect or exclusion of the eldership.

3. The decision of the Assembly was declared to be opposed to principles essential to the nature and existence of presbyterianism. It was represented as an essential element of presbyterianism that God's people govern themselves, and manage their ecclesiastical affairs, in accordance with his word, and by their own chosen and ordained representatives. The elders are declared to be the representatives of the people, to exercise discipline and government in connexion with the ministers. If this principle be destroyed the whole system is destroyed. Admit the principle that the ministry may, without the presence of any representatives of God's people, transact the business of the people, and you lay

our glorious system of representative republicanism in ruins; and over those ruins you may easily pave a highway to prelacy and popery. As every act which a presbytery may perform, affects the interest of the members of Christ's body, they are entitled to be represented; and it was wise in the framers of our constitution to provide that the people's business should never be done, unless the people had at least one representative to see to their interests, and to watch those encroachments of the ministerial order, which had resulted in one papaey and might lead to another.

4. The decision of the Assembly was uncalled for and tends to weaken the importance of the eldership, by representing that their presence in our presbyteries is not necessary and might be undesirable.

5. The impatience of the house prevented a full and fair discussion of the question; and the chief reasons urged in favour of the decision were drawn from extreme cases, not likely to occur, and which were injurious to the eldership as supposing they would be so negligent of their vows as with any frequency to absent themselves from our church courts.

Rev. Messrs. Breckinridge and J. Montgomery subjoined for themselves to this protest an expression of their opinion that the above decision appropriately, and of necessity, flowed from the decision previously made, that the constitution does not authorize ruling elders to unite, by the imposition of hands, in the ordination of ministers. Against both of these decisions they desired to protest, striking, as they believed them to do, at the fundamental principles of the constitution.

To these protests the Assembly recorded an answer, with the help of which we construct the following brief reply. The protest seems to proceed on an erroneous idea of the nature of a presbytery; as though it were a creature of our constitution. A presbytery is a number of presbyters regularly convened. Their powers belong to their office; and they are clothed with that office by their ordination. A number of ministers episcopally ordained, might associate themselves together and form a presbytery, and would, according to the doctrine of presbyterianism, have the right to ordain, and to exercise all the powers of discipline and government over their own members, and over the congregations submitting to their watch and care, that belong to any presbytery in the world. It is therefore not

necessary to the existence of a presbytery that ruling elders should constitute a portion of its members.

If the doctrine which lies at the basis of this protest is true, that ruling elders are "an essential element of a presbytery," indispensable to its nature and existence, then there was no such thing as a presbytery in the world for a long series of ages; then we must deny the validity of the orders, or at least of the early ordinations of all Protestant churches, for it is certain that their ministers were not ordained by presbyteries of which ruling elders were members. There is nothing in the scriptures or in our confession that authorizes such a doctrine.

It may, however be said that although ruling elders are not indispensable to the existence of a presbytery; yet under our constitution the presence of one or more ruling elders, is necessary to the regular constitution and action of a presbytery in our church. This is a very different point; yet it would appear that the great reason for the adoption of the particular construction of the constitution presented in the protest, is to be found in the doctrine that ruling elders are essential to the existence of any presbytery. Apart from this preconceived idea of the nature of a presbytery, the constitution gives very little colour to the construction put upon it by the protest. When it is said that the presbytery "consists of all the ministers and one ruling elder from each congregation within a certain district;" the constitution merely teaches of what materials a presbytery may be composed: it says nothing as to what is necessary to its regular constitution. It does not say that a presbytery must consist of all the ministers, or that there must be an elder from each congregation. It is very rare indeed that a presbytery in point of fact consists of all the ministers and all the elders who have a right to be present. Thus the General Assembly, it is said, *shall* consist of an equal delegation of bishops and elders from each presbytery. But who has ever seen such a General Assembly? These clauses, therefore, teach nothing as to what is necessary to form a presbytery competent to proceed to business. But does not the section which says that any three ministers and as many elders as may be present, &c., shall be a quorum, teach that the presence of at least one elder is necessary for that purpose? We do not think this construction would be put upon that clause, by any who was not possessed with the idea that there can no presbytery without ruling elders. If

any number of ministers regularly convened is a presbytery ; and if our book recognises the right of elders to sit and vote as members of presbytery ; then we think the plain sense of the above clause is, That three is the smallest number of ministers that, in our church, can act as a presbytery, and when regularly convened may proceed to business together with any elders who may be present. The ministers constitute the presbytery ; they are the permanent members of the body ; in that body each session has a right to be represented by one elder. This, we consider the plain meaning of our Book. Elders have a right to come, and it is very important they should come, but they are not compelled to come, nor is their presence necessary to the constitution of the body.

Had the framers of our constitution intended to introduce the novel idea that there could be no presbytery, without ruling elders, they would doubtless have said, Three ministers and at least one ruling elder, shall be necessary to form a quorum. But as they have not said this, or any thing equivalent to it, we have no reason to suppose they intended to lay down any such rule.

2. It is further argued that the decision is hostile to what is declared to be a principle essential to the very nature and existence of presbyterianism, viz., that God's people should govern themselves, and manage their own ecclesiastical affairs, in accordance with his word and by their own chosen and ordained representatives. The first remark to be made on this argument is, that the decision protested against, has no special hostility to that principle. Ministers are just as much the representatives of the people as elders are. Both are chosen by the people to their stations in the church ; neither have any authority over any congregation, not voluntarily subject to their watch and care ; and at the same time neither derives his authority from the people, nor is either responsible to them. Both classes stand, as far as this point is concerned, in precisely the same relation to the people ; and a presbytery composed entirely of ministers, is no more hostile to the principle that "God's people govern themselves," than a presbytery composed entirely of ruling elders.

But, secondly, we demur to the principle itself. It is no part of our presbyterianism that God's people govern themselves, any more than that a family governs itself. In other words, in the Christian church, as in a Christian fami-

ly, the power and authority of the rulers do not come from the people, but from Christ. He committed the power to teach and rule to certain officers; and directed them to communicate the same authority to others. All the power they have comes from Him; the power goes with the commission, which is received in each case from the officers and not from the members of the church. This is just as true in the case of ruling elders as of ministers. The authority to exercise the power inherent in their respective offices, over any congregation depends on the will of that congregation, but not the power itself. If I am ordained a minister of the gospel, I have all the rights and privileges attached by Christ to that office; but I have no authority over any congregation that does not choose me as their pastor, or that does not voluntarily subject itself to the presbytery of which I am a member. Whether this is republicanism or not, we do not know, and are not careful to enquire, seeing we are persuaded it is the order which Christ has established in his own house for edification and not for destruction. We are persuaded also, that no man can show philosophically, that such power, or such a theory of the church, is peculiarly liable to abuse; or historically, that it has ever led to any serious or lasting evils. As in the case of a family, the authority of the parent, derived from God, and independent of the will of the children, is in general restrained within proper bounds by natural affection; so in the Presbyterian church the authority of its officers, though derived from Christ, is effectually restrained by two important limitations. The one is, that it neither extends over the conscience, nor is armed with any power to inflict civil pains or penalties. It is simply ministerial and spiritual. If Presbyterian ministers or elders inflict any censure contrary to God's word, it is, by their own doctrine, innoxious and nugatory. They pretend to no power, but to declare and execute the commands of Christ; and any man, who sees that their acts are not authorized by those commands, feels himself unhurt by any thing they can do to him. The other limitation is, that the submission of the people even to this ministerial and spiritual authority, is voluntary, enforced by no other than moral considerations, which submission is a matter of duty only when the rules of the word of God are adhered to. When we say that the subjection of the people to the legitimate authority of their spiritual rulers, is voluntary, we do not mean that they are

under no moral obligation to unite themselves to the church, and to submit to its discipline; but that this is a voluntary and rational subjection. It is free for them to decide with what church they will connect themselves, and how long that connexion shall continue, subject only to their responsibility to God. If the people wish more liberty than this they must go where the Bible is unknown. There is no tendency therefore in the decision of the Assembly to foster tyranny in the church, or to introduce popery; and we presume the protesters themselves feel very little uneasiness on that point. They cannot but know that the source of priestly power, is false doctrine. So long as the people have unimpeded access to Jesus Christ, and are not taught that it is only through the hands of their ministers, that they can obtain pardon and salvation, their liberties are secure. The truth makes and will ever keep men free.

3. The only other ground of protest is that the decision in question, tends to disparage the eldership and to discourage their attendance on our presbyteries. We cannot see the force of this objection. Does the clause declaring that only three ministers are required to form a quorum, tend to disparage the other members of the body, as though they were of so little account, that the presbytery can dispense with their attendance, and would be glad to have as few of them as possible? The complaint that the eldership are undervalued and denied their just influence in the church, is one of the most unfounded that can be made. The influence of a man in our judicatories depends far more on his personal qualifications than on his station. It is not to be expected that a weak and ignorant man, be he elder or minister, can have the weight with his brethren which a man of talent and learning, whether minister or elder, possesses. The protestants must have observed that there were elders on the floor of the last Assembly, who were listened to with a deference manifested towards few ministers, and whose judgments had a weight of which few clerical members of the house could boast. As far as we have observed, it is always the case, that, other things being equal, the influence of elders in our public bodies is greater than that of ministers. And what is much to their credit, they have sense enough to see and acknowledge it. These complaints of their being undervalued, are almost always from ministers; and are to the elders themselves matters of surprise and sometimes of amusement. The true influence

of any set of men depends in a great measure in their acting in their appropriate sphere. The influence of the clergy is not to be increased, by their acting as laymen; nor that of laymen by their acting as clergymen. The value of the office of ruling elder, we hold to be inestimable; but it depends upon his being a ruling elder, with rights, duties, and privileges distinct from those of the minister; on his being, in the ordinary sense of the word, a layman and not a clergyman.

Marriage Question.

Overtures were received from the Synods of New Jersey and Alabama, and from the presbyteries of Troy, New York, West Lexington and the Western District, requesting the Assembly to send down to the presbyteries, the question, whether the Confession of Faith should be amended by striking out the last clause of the 4th section of the 24th chap., which says, "The man may not marry any of his wife's kindred nearer in blood than he may of his own, nor the woman of her husband's kindred, nearer in blood than of her own." These overtures were referred to the committee of Bills and Overtures, who reported, May 22, in favour of sending down the proposed question. Two of the committee, Dr. J: C. Lord and Rev. Hiram Chamberlain, dissented from this report, and recommended the adoption of a resolution declaring any such reference to the presbyteries inexpedient. When the resolution proposed by the committee came up, May 26, Dr. Hoge, moved to lay the whole subject on the table; on the ground that the consideration of it would lead to a long and unprofitable discussion of the merits of the case. This motion prevailed; *yeas* 83; *nays* 55. On the afternoon of May 29th, Dr. Leland, moved to take up the subject; urging that it was not proper to neglect the request of so many of the lower judicatories. He added that although he had always been opposed to such marriages, he was more opposed to refusing to apply, in such cases, to the constitutional source of power for a decision. Dr. Leland's motion was carried by a vote of 56 to 49. The motion was then advocated by Dr. Maclean, on the ground that the request was made by whole synods and presbyteries; that there was so much diversity of opinion in the church on the subject, that a reference to the presbyteries was the only way by which the question could be settled; that the Confession of Faith

ought not to contain any thing which hundreds of our ministers and thousands of our church-members, with whom the speaker fully sympathized, believed unauthorized by the word of God; that the other churches by which we are surrounded, the laws of the land, and the general sentiment of the country were in favour of the lawfulness of marriages which our book condemns.

Dr. Hoge and Mr. Breckinridge spoke against the motion, and the former moved that the whole subject should be referred to a committee of three, to report an amended form of the section to be sent down to the presbyteries. A motion, however, was made to lay the whole subject on the table, which prevailed: *yeas* 68, *nays* 63. On the following day, Dr. Hoge moved that the subject be again taken up, with a view to appoint a committee to report on the subject to the next Assembly. He said he made this motion not because he wished any change in this article in the Confession, which he believed to be, as it now stands, in accordance with the word of God, but simply because some of the brethren think we have not treated them and the judicatories of the church fairly in the disposition of the subject which we have made. The motion to take the subject up was carried: *yeas* 61, *nays* 54; and then without debate or division, it was voted to refer it to a committee of five to report to the next Assembly. It was at first determined to appoint this committee by ballot; but subsequently, on the nomination of Mr. Breckinridge, the following gentlemen were appointed, viz. Messrs. Hoge, Spring, Leland, Hodge and N. L. Rice.

That this is a difficult and complicated subject, must, on all hands, be admitted. There are three very distinct questions in relation to it, which ought not to be confounded. 1. Is the doctrine now taught on this point in our Confession in accordance with the word of God? 2. If so, ought the article in question, to be made a term of Christian and ministerial communion? 3. If not, is the striking out the clause proposed to be erased, the right remedy for the difficulty?

As to the first of these points there are avowedly three opinions in the church. The one that the Confession as it now stands is in its strictest sense in accordance with the scriptures, and therefore that the marriages in question are in such a sense unlawful as to be invalid in the sight of God. Separation of the parties, according to this view, is in all cases an indispensable requisite for admission to the pri-

vileges of the church. The second opinion is, that although the marriages in question are unlawful, i. e. contrary to the rule laid down in the scriptures, they are not, in all cases, (i. e. the remotest degrees of kindred forbidden in our Book,) invalid. The separation of the parties in such cases, so far from being a duty, would be according to this view, a sin. This view of the subject, we believe to be far more prevalent in the church than the other. Many brethren who are the most strenuous in their support of the Book are disposed to leave the parties already living in such connexions, unmolested in the enjoyment of their church privileges. But this they could not do, if they believed their marriages to be invalid. This second opinion is founded on the obvious principle of religious ethics that although, in many cases, it may be wrong to enter into certain engagements, yet the engagement when formed is binding. That this is a sound principle cannot be doubted, and admits, were it necessary, of abundant illustration. It was against the law of God for the ancient Israelites to form any treaties with the heathen; and yet, in many cases, such treaties when formed were morally binding. It is contrary to the divine will for any man to violate the law of the land, and yet in a multitude of cases, the municipal law regulating marriage, may be violated without rendering the contract morally void. In England, a few years ago, the law forbade any man but a minister of the established church to solemnize marriage; the ceremony could be legally performed only at certain places, and during certain hours of the day. Yet no one doubts that a marriage solemnized by a Romish priest, or a Presbyterian minister, or out of canonical hours, was valid and binding in the sight of God, though in one sense contrary to the law of God, by being contrary to the law of the land. But to take a case nearer to the point, God forbids in his word believers and unbelievers to be unequally yoked together. It is laid down as a principle meant to be conservative of the peace and religious character of families, that the people of God should not intermarry with his enemies. Should a minister of the gospel marry a gay, worldly woman, he would certainly violate this principle; and still more obviously would he act contrary to the divine law, were he to marry a skeptic or a heathen. But in no one of these cases would the marriage be invalid. In like manner, God has laid down the general rule that a man should not marry his near kindred. This law cannot be violated

with impunity; but it does not follow that every marriage inconsistent with it should be dissolved. About the principle there can be no doubt; whether it is applicable to the case of marriage, depends on the view taken of the general law of marriage. If that law is a moral one, in the highest sense of the term, then no engagement inconsistent with its provisions can be binding, any more than a man can bind himself to commit murder. But if it be a positive law, or only in a secondary sense moral, and therefore dispensable, then the principle is applicable, in all cases where the sacred obligation of the marriage contract is more obligatory than the positive law with which it is in conflict. If a man is in such circumstances that he cannot comply with both of two laws, it is a plain principle that the weaker law gives way, or ceases to be binding. If the law of the Sabbath conflicts with the claims of mercy, it is in that case no longer obligatory; for God will have mercy and not sacrifice. It is not our purpose at present to argue any thing; but merely to state what are the opinions prevailing in the church in relation to this subject. It is certainly true that while some brethren think all marriages forbidden in our confession are not only unlawful but invalid; a much larger number, while they believe them to be unlawful, i. e. inconsistent with the rule laid down in the scriptures on the subject, believe them to be, in the cases referred to, valid and binding.

A third opinion is that the law, as it now stands, is inconsistent with the word of God, forbidding what that word, and the laws of almost all our states, do not prohibit. How large this class of brethren is we cannot tell. In the northern portion of the church, they probably constitute a great majority; in the southern and western portions a minority.

The second question is, Whether the law forbidding a man to marry any of his wife's kindred nearer in blood than he may of his own, ought to be made a term of ministerial and Christian communion? This is a grave question. It seems plain that we are not at liberty to make every truth contained in the word of God, a term of communion. This is contrary to the express command of the apostle, and would render the unity of the church impracticable. It is only those things which are clearly revealed, and which are of such moment that ministers cannot differ about them and be qualified for the office of preachers in the same church, that should be included in the terms of ministerial commu-

nion; and only those about which Christians cannot safely differ, that should be embraced in the terms of Christian communion. Now it is said, we should be very sure that a thing is clearly revealed before we can make the disbelief of it, the ground of exclusion from the church. The fact that there is such an avowed diversity of opinion on the subject in question, is one of the arguments urged against the clause complained of being retained in our Confession of Faith.

Again, it is urged against the rule that it never was, and practically it cannot be uniformly enforced. Although in one part of the church it has been carried into effect, in another it has been suffered to lie dormant. So that we have, and ever have had, in our churches, and at times in our eldership and ministry, men in good standing, who have contracted marriages in violation of this rule. But even this is not the greatest difficulty. Such is the state of opinion in the church on this subject that uniformity cannot be attained. If it would violate the conscience of a northern presbytery to discipline a brother for such a marriage, it would violate the conscience of many of our presbyteries in the south, to pass the matter in silence. Where the sentiment of the church is against the marriage, it cannot be overlooked; where the opposite sentiment prevails it cannot be censured. We have heard of a minister who had scarcely more than twelve members of a large congregation who would consent to hear him preach, after his marriage with the sister of his deceased wife; and when he attempted to administer the Lord's Supper, all the elders declined serving. Such a man is as it were excluded from the ministry by public sentiment, before any church censure can be brought to bear upon him. Now what is to be done? This is a practical question. Shall we agree to differ? or must we separate on this point?

This introduces the third question. Is the erasure of the clause proposed to be stricken out, the proper remedy for the difficulty?

Practically it certainly will not reach it; for as the Book will still condemn marriages within the degrees prohibited in the word of God, all those sessions and presbyteries who think the marriage in question included in the prohibition, will feel not only authorized, but required to proceed just as if the Book were left unaltered. We shall have just the same diversity of opinion and practice without the clause that we have with it. We have heard it suggested that the best plan

would be to leave the Book as it is; and allow the several sessions and presbyteries (as they have ever been allowed,) to pursue their own course in the matter, the General Assembly not interfering to coerce obedience to the rule where the lower court does not feel called upon to enforce it; and acting only when a case is made, and brought up by appeal from some lower judicatory. This is substantially the very course the church has been pursuing the last fifty years; and it is the course we doubt not, in practice, that she will have to pursue for many years to come. This course is attended with no real hardship; because it admits of the free exercise of the different opinions which exist in the church on the subject. If a man is a member of a session or presbytery who are known to believe the word of God condemns such marriages, he acts with his eyes open when he contracts them. He has no right to force his brethren to tolerate what they think wrong; or to insist upon being a member of a body against the judgment and conscience of all his fellow members. It may be said that it is an anomalous state for a church to be in; one presbytery suspending from his office a minister for an act, which another presbytery passes without censure. This is very true. But it is, and for fifty years or more, has been the actual state of the church. And how can you help it? You cannot force all to think alike, and therefore you cannot make all act alike. You must either allow this diversity of opinion and practice, or you must split the church. Believing as we do that a decided majority of the church is in favour of the Book, substantially as it now stands, we suspect the course which would give the most general satisfaction is the one just suggested. Leave the Book unaltered and leave the lower courts to act under it according to the dictates of their own consciences.

Another strong objection against striking out the clause under consideration, is that it will leave the section in a state at once ambiguous and unsatisfactory. It will be ambiguous because it will then say "marriage ought not to be within the degrees of consanguinity or affinity, forbidden in the word." But there are not a few in our church who say there is no law relating to this subject in the Bible. Others, say that although the 18th ch. of Leviticus relates to marriage, it is no longer binding. Others say it is binding as far as the specified cases go, but no further. Others, say it is binding not only as to the specified cases, but as to the

degrees of which those cases are instances. Here are no less than four different views prevailing more or less in the church, and the Confession, if altered in the manner proposed, decides nothing respecting them, except indeed, by implication that some degrees are prohibited in the scriptures. If it were said, we must teach no doctrine inconsistent with what is taught in the word concerning original sin, it would be a very unfit clause for a confession of faith or bond of union among brethren.

The section would not only be ambiguous, but it would be satisfactory to no portion of the church. It would declare that such marriages can never be made lawful by any law of man or consent of parties, so as those persons may live together as man and wife. This is the clause which after all gives most trouble, and which the proposed alteration leaves in full force, applying to each and every case prohibited in the word. As a matter of fact, there can be no doubt that a very large number of our ministers and elders do not believe that all these marriages, though unlawful, are invalid. To them therefore, as well as to those who take more liberal ground on the whole subject, the section as it would stand, will be altogether unsatisfactory.

The mere striking out of the last section, therefore, appears to us to be the worst of all expedients. It cannot prevent the diversity of opinion and practice that now prevails; it would render the law in the highest degree ambiguous; and leave it as unsatisfactory to a large part of the church as it is at present. Whether the committee who have it in charge to report on this subject to the next Assembly, will be able to prepare any thing to meet all these conflicting views, remains to be seen. Dr. Hoge, we learn from the proceedings of the Assembly, is in favour of a modified form of the whole section, which, if we are correctly informed, differs from the present, mainly in this, that it does not pronounce all these marriages to be invalid, which is the common understanding of the Book as it now stands. A section which should affirm the continued obligation of the law of marriage, as contained in the 18th ch. of Leviticus; that should state what, in the judgment of the church, the intent and scope of that law is; and that should leave it open to the church courts to deal with each particular case according to its merits, might possibly be framed so as to meet the views of the great majority of our brethren.

Case of the Rev. Archibald McQueen.

As soon as the preceding subject was disposed of the Rev. Dr. Maclean proposed the following preamble and resolution: "Whereas the Rev. Archibald McQueen was suspended by the Presbytery of Fayetteville from the exercise of his ministry and from the communion of the church, for marrying the sister of his deceased wife; and whereas the General Assembly of the last year, affirmed the decision of the presbytery; and whereas, in the judgment of this General Assembly, the censure which has been inflicted hitherto submitted to, ought to be removed; therefore, Resolved, That the Presbytery of Fayetteville be directed to remove the aforesaid sentence of suspension, and to restore the Rev. Archibald McQueen to the communion of the church and the exercise of the ministry."

This unexpected motion added much to the excitement which the preceding question had produced; and Dr. M., while proceeding with his remarks was repeatedly called to order. The moderator, however, decided that he was speaking in order. At length the question was raised, whether the motion itself was not out of order, inasmuch as it proposed to review and reverse a decision of the last Assembly, a motion which this Assembly was incompetent to entertain. The moderator decided that the motion was in order, which decision was, upon appeal, sustained by the house. Dr. Maclean then proceeded with his remarks, advocating the restoration of Mr. McQueen; principally on the following grounds; first, the diversity of opinion in the Assembly, by which Mr. McQ. was condemned; some censuring him mainly because he had violated a rule of the church; others because the act charged merited in itself a limited suspension, while others thought he ought to abandon his wife before he could be restored. Secondly, he urged the excellent character of Mr. McQ. and the painful circumstances in which he was placed by the action of the church. Thirdly, the great hardship of leaving one man under this severe censure, while so many other men were allowed to remain undisturbed in the bosom of the church. He urged further the obsolete character of the law under which the sentence had been passed, and the respectful submission which Mr. McQ. had rendered to the painful sentence under which he laboured; and especially the consideration that the highest judicatory of our church, whether the old synod, or subsequently the General Assembly, had

never been disposed to take extreme action in such cases. In support of this last position he cited various decisions of our earlier church courts.

Dr Nott moved the reference of the motion to the same committee to which the proposal for an amendment of the constitution had already been referred. Both the reference and the original motion were strenuously opposed by Messrs. Junkin, Breckinridge, I. W. Platt, and Chancellor Johns. The last named gentleman remarked that this was a case of discipline. When we find where we are, then we know what rule ought to govern us. It being a case of discipline there is no doubt what course ought to be pursued. To take up such a case when the parties are out of court, the record gone, and all the pleadings out of view would be an unheard of proceeding. But viewing the matter in the light of a mere resolution it is a prejudging of the case. You may call it legislation, but the name will not alter the nature of the transaction. What would be thought of an appellate court, taking up a case already decided, and without hearing any of the parties, or calling for the record, sending it down with all the weight of its influence, in favour of a reversal of the sentence? And shall we send down a mandatory writ to the presbytery, which has the exclusive right primarily to judge in the case? Let us stop here. My great desire is to preserve the purity of this high ecclesiastical court. As in civil matters a judge must not express an opinion in advance, so here we should cautiously avoid the expression of an opinion on a case that may yet come up before the General Assembly by reference or appeal. Let Mr. McQueen, if he is so disposed, apply to his presbytery, and if they refuse to entertain his application or to do him justice in the premises, let him complain or appeal to the Synod or General Assembly; but I beseech you, moderator, let not this high court of final resort disqualify itself for such a review, by prejudging the case.

As soon as Chancellor Johns concluded, the previous question was called and sustained. The motion for commitment being thus cut off, the question on Dr. Maclean's resolution was then put and rejected by an overwhelming vote, very few voices being heard in the affirmative.

The principle involved in this case is one of no little importance. The question whether the Assembly had the constitutional right to entertain the motion to restore Mr. McQueen, or to order his restoration, is of course very dif-

ferent from the question, Whether it was expedient to pass such a motion, or whether the method proposed was the right way of reaching the end aimed at. Dr. Maclean supposed he had sufficiently guarded his motion from the objections so forcibly urged by Mr Johns, by avoiding all expression of opinion as to the decision of the preceding Assembly. It might be assumed that their sentence was perfectly equitable and just, and yet if it had been submitted to, and been endured for more than a year, it might be proper that it should now be removed. But has the Assembly the right, by a mere resolution, to inflict or remove a judicial sentence? A negative answer to this question does not appear to us to be sustained by saying that the Assembly has only appellate jurisdiction in such cases. This is a very prevalent doctrine, but its correctness, is at least a matter of doubt. It is certain that the Assembly of the Church of Scotland has ever claimed and exercised original jurisdiction, acting as the presbytery of the whole church. It is certain that similar ecclesiastical councils, have in all ages of the church, acted on the same principle. And our own Assembly, in some few cases, has done the same. It has taken up a foreign minister whom one of our presbyteries refused to receive, examined him touching his qualifications, and passed a vote of approbation, and authorized any presbytery to whom he should apply to receive him as a member. There may be cases in which the exercise of this right might be expedient and necessary. But whatever may be thought on this point, it should be remembered that the Assembly, though it is an appellate court, is a great deal more. There is no exact analogy between our judicatories, and the civil courts of the country, because in our civil government, the legislative, judicial, and executive functions are carefully distinguished, and in general committed to different hands; but with us all these powers are vested in the same bodies. The Assembly is the highest legislative, judicial and executive body in the church. It was not called upon to act as a court, but as the executive. It was not asked to review a decision but to remit a sentence; to do what the executive of a state does, when it grants a pardon or remits a penalty decreed by a judicial tribunal. The Assembly could not be called upon to inflict a sentence, without parties, without records, or without argument, for from the very nature of such an act, it could only be performed by the body in its judicial capacity.

But this does not prove that it might not remit even the most justly inflicted sentence, if the occasion called for the exercise of this executive grace.

Whatever may be thought of the abstract question of the right of the Assembly, in its executive capacity, to remit a sentence judicially inflicted, the arguments against its exercise, in the case under consideration, seem to us unanswerable. There is the general objection founded upon the difficulty of discriminating between the executive and judicial functions of such a body, or of preventing the one from interfering with the other. We do not see how the argument of Mr. Johns is to be disposed of, that the Assembly was liable to be called upon to sit judicially on the very question which it was then called upon to decide by resolution. The question whether the censure inflicted on Mr. McQueen had been endured a sufficient length of time, was one which he might at any time bring before the Assembly, by applying to be restored to the exercise of his office. This suggests another of the arguments urged against Dr. Maclean's motion, that it aimed at accomplishing in an irregular way, an object which could be attained by the ordinary operation of our system. It was not a case for which the constitution provided no remedy. The lower courts were open to Mr. McQueen, and to them he might at any time apply, and in case of their refusal, he could seek redress at the bar of the Assembly. There was great weight also in the objection urged by Mr. Breckinridge, that the Assembly was called upon to act in ignorance of the facts necessary for a proper decision of the case. They did not know that Mr. McQueen even wished to re-enter a church whose laws condemned his conduct; they knew not officially whether he retained any relation to the presbytery of Fayetteville, or whether he had connected himself with some other denomination. With what propriety then could the Assembly be called upon of its own motion, without any application from any quarter, to act in the business.

There is another consideration as it seems to us of great weight in this matter. The unavoidable consequence of acting on the plan proposed by Dr. Maclean must be a collision between the Assembly and the lower courts. Admitting that the Assembly has the right, of its own motion, to restore a man to the ministry, has it a right to force him on a reluctant presbytery? That the presbyteries may judge of the qualifications of their own members, is one

most certain and important rights; and one which they can exercise without responsibility to any higher court. They have a right to refuse to receive any man as a member whom they judge for any reason to be unsuitable. Could the Assembly force an abolitionist on a southern presbytery? Where a case comes up judicially from a lower court and the Assembly decides that their reasons for suspending him were insufficient, the operation of that decision is indeed to restore him to his standing in the body, but this is very different from directing a presbytery to receive into their confidence and communion a man who has no connection with them, and whom they consider unworthy or unsuitable for membership. We doubt whether any presbytery would be willing, in this extra judicial way, to receive any man against whom they had conscientious objections, on the simple direction of the General Assembly. If the Assembly chose to take the whole matter into their own hands, let them restore Mr. McQueen to his standing, and authorize any presbytery who saw fit, to receive him. This would be going great lengths, but it would be less objectionable than forcing him on a body whose consciences forbade their acknowledging him as a minister, in good standing. On the whole we greatly rejoice that a course so unprecedented and so liable to objection, was met by a vote of such decided condemnation.

Temperance Question.

This subject came up on the review of the minutes of the synod of Pittsburgh. It appears that the question, "Should a retailer of intoxicating drinks, knowing that they are used for the common purposes of beverage, be continued in the full privileges of the church, and certified as a member in good standing" was referred by that synod to a committee, who made a report which was adopted, and is to the effect, that no member of the church should be excluded from its privileges, except for some "offence;" that an offence, "is anything in the principles or practice of a church-member, which is contrary to the word of God; or which if it be not, in its own nature, sinful, may tempt others to sin, or mar their spiritual edification;" that the practice of retailing intoxicating drinks, need not be pronounced in its own nature sinful, but that it certainly tempts others to sin, and therefore is an "offence" within the meaning of the Book. But is it such an offence as ought to exclude those who

commit it from the privileges of the church? In answer to this question the report states that anything which would be a proper ground for debarring an applicant admission to the church, ought to be considered a sufficient ground of excommunication or exclusion; that anything which essentially impairs or destroys the evidence of Christian character is a bar to admission, and ought to be considered a ground for exclusion. In proof that the practice in question does destroy the credibility of a Christian profession, it is argued that "the man who, at the present time, is ignorant of the effect of the practice referred to, in tempting others to sin, and marring their spiritual edification, must be criminally regardless of what is going on around him. And he, who knowing this, perseveres in the practice, evinces a state of heart directly the reverse of that which is produced by the grace of God that bringeth salvation."

That this is not establishing a new term of communion in the church, the report argues because the old and acknowledged condition of communion, is credible evidence of Christian character, and as the practice of retailing intoxicating drinks has been shown to vitiate that evidence and to work a forfeiture of the privileges of Christian communion, we do but enforce the old condition. This report was "adopted by the Synod and recommended to be read in all the congregations within its bounds." When the committee of the General Assembly reviewed the minutes of that body, they recommended that they should be approved with the exception of the above report, because it virtually made "the retailing of intoxicating drinks a test of piety and a term of membership in the Presbyterian church."

This recommendation gave rise to a protracted discussion. Dr. Lord proposed as a substitute for the report of the committee, "That the records be approved except so far as they seem to establish a general rule in regard to the use and sale of ardent spirits as a beverage, which use and sale are generally to be decidedly disapproved; but each case must be decided in view of all the attendant circumstances that go to modify and give character to the same." Mr. Breckinridge moved the following as a substitute for Dr. Lord's proposition, or rather for the exception in the report of the committee, "But whereas the question has been made before this General Assembly whether the sale of intoxicating drinks, in all cases, shall be a bar to communion in the Presbyterian church, therefore, Resolved, That while

the Assembly rejoice in the success of the temperance reformation, and will make use of all lawful means to promote it, they cannot sanction any new terms of communion." This resolution was rejected, and that offered by Dr. Lord was finally adopted.

Did we not know how liable we all are to have our minds clouded and perverted about the plainest matters, and how easily the evil resident in our nature mingles with everything we do, we should be surprised to find good men differing about such a subject as temperance, and unholy feelings influencing the discussions to which such difference of opinion gives rise. We make this latter remark without any reference to the recent debates in the General Assembly, for we rejoice to believe that throughout the long, animated and exciting discussion, there was not, as one of the audience testifies "the least exhibition of rude deportment or unpleasant feeling." But how is it that there should be such diversity of opinion even in the Assembly on such a subject? To what does this diversity relate? Not to the sinfulness of intemperance; not to the prevalence of the evil, not to the amount of crime, degradation and misery of which it is the fruitful source, not to the duty of all men to endeavour by precept and example to oppose its progress, not to the great good that has been effected by temperance societies, not to the desirableness of continuing and extending the influence of the reformation already so happily begun; but mainly to certain questions in morals, which are indeed of great practical importance. We believe that the dissensions among good men on such subjects as temperance, slavery, and the like, arise in a great measure from the want of due discrimination somewhere as to the elementary principles of ethics. By elementary, we do not so much mean obvious, as ultimate. Men may agree that a thing is right, but differ as to the grounds of this judgment, and such difference will of necessity produce diversity in the reasons by which they enforce the duty, the means they employ to carry out their views, and the spirit which animates their endeavours. It makes all the difference in the world, whether a thing is wrong in itself, or for reasons extraneous to its own nature. If it is wrong in itself, it is always wrong; it is always the ground of reproach or censure; and it should be opposed in a way entirely inadmissible on the supposition that it is, in its own nature, a matter of indifference. It is evident that it is the prevalent doctrine

of our Temperance Societies, and of our self-called temperance men, that the use and sale of intoxicating liquors as a beverage is in itself an immorality. As to this point there can be no higher authority than the National Temperance Convention held at Saratoga, July, 1841, who declared, "That the tendency of all intoxicating drinks to derange the bodily functions, to lead to drunkenness, to harden the heart, sear the conscience, destroy domestic peace, excite to the commission of crime, waste human life, and destroy souls; and the rebukes and warnings of God in his word in relation to them, in connection with every law of self-preservation and of love, imposed upon all men a solemn moral obligation to cease forever from their manufacture, sale and use, as a beverage, and so unitedly call upon us as men and Christians, not to pause in our work until such manufacture sale and use, shall be universally abandoned." This declaration of the immorality of the manufacture, sale and use of all intoxicating drinks as a beverage, being founded, not on the peculiar circumstances of any time or place, but on the inherent nature and tendency of such drinks, is a declaration that their sale and use are, and always have been sinful. And as it is a fact, just as clear as any other fact contained in the scripture, that God and Christ did not prohibit, but allowed the use of such drinks, we cannot hesitate to say that the above resolution is infidel in its spirit and tendency, however many good men may have been cajoled or driven into the sin of giving it their sanction. It has produced, therefore, its legitimate effects in vitiating the arguments, the measures, and, to a lamentable extent, the spirit of the Temperance Society. It has led to a disregard of the authority of the word of God, to a shameful perversion of its meaning, to shocking irreverence in the manner of speaking of our blessed Redeemer. It has in all these and other ways tended to undermine the foundations of religion, and has given, in many places, an infidel character to the whole temperance movement. It has just as necessarily led to coercive measures in the promotion of the object aimed at, invoking the aid of church courts and church censures. It has produced a spirit of denunciation and censoriousness. Good men are represented as bad men, for no other reason than a denial of the false principle above stated, and for their opposition to the arguments by which it is sustained. We refer, as a single example, to the case of Dr. Maclean, one of the most disinterested of men, a man who has more moral

worth than would serve for an outfit for a whole generation of such men as ignorantly traduce him ; a man, who not only practices upon the principles of total abstinence, but has over and again signed pledges to that effect, who is yet constantly more or less defamed, because he refuses to submit his judgment and conscience to this new and self-created tribunal of moral principle and conduct. Just so long and so far as the false doctrine above stated, is maintained by our Temperance Societies, will it be the duty of the friends of religion and of temperance itself, at whatever cost to themselves, to bear their testimony against it, and resist all measures designed to establish and enforce it.

The New York Observer says in reference to the discussions in the Assembly, that "through the whole progress of the debate, not a single expression was heard that could be distorted by the most fastidious ear, into a support of that dogma of modern ultraism, which has so often jeopardized the temperance reform ; that 'it is a sin *per se* to use or sell intoxicating drinks.' All appeared satisfied, and many expressly declared their willingness to rest the cause on the broad ground of expediency so clearly set forth by St. Paul, in regard to both 'meat and wine ;' which they considered as a firm and ample foundation for the glorious superstructure." Our brethren of the Synod of Pittsburgh also, state that they do not affirm the practice of retailing intoxicating drinks, to be in its own nature sinful. We fear however there is often a great mistake made as to the proper place of expediency, as it is called, in questions of duty. The principle which the apostle lays down, Rom. xiv. ch. and 1 Cor. viii. ch., is that it is wrong for us to make such a use of our liberty, in things indifferent, as to lead our brethren into sin. This is the general principle, but it is subject to the important limitation that this compliance with either the scruples or weakness of others, must be "for their good to edification." If it would sanction any false doctrine, or tend to establish any false principle of duty, the compliance would itself be wrong ; because it is far more important, and far more useful for others, that the truth should be kept pure than that those who are weak or ignorant should not be offended. Paul's precept and example, as well as the very nature of the case, impose this limitation on the principle in question. To avoid giving offence, and to save the Jews from the sin of rejecting the gospel, without a hearing, he circumcised Timothy ; but when there was danger

that compliance would sanction the doctrine of justification by works, he refused to circumcise Titus. Christ would not comply with the conscientious scruples of the men of his generation, but consented to be called a sabbath-breaker and a wine-bibber, because he saw their good and the cause of truth required it. It was in the same spirit of enlightened Christian ethics that Luther urged his followers to observe certain religious days, adding however, if any man says you must do it, then go to your ordinary work, as hard as you can.

It follows, therefore, that any rule of duty founded on expediency must be variable. If I am bound to abstain from certain things only because the use of them would do my brethren harm, the obligation exists only when his real good would be promoted by my abstinence. If the obligation arises from circumstances, it must vary with circumstances. If it was Paul's duty at Jerusalem to have his head shaved and to keep the law; it was his duty at Antioch to disregard the law and to eat with the Gentiles. If it was his duty under one set of circumstances to circumcise Timothy, it was his duty under another to refuse to circumcise Titus. If it was his duty in Corinth to abstain from eating meat; it was his duty among the Essenes, who made religion to consist in such matters, to eat it. Thus we doubt not, in our day, it is a duty in many parts of the country to practice on the principles of total abstinence; in others no such obligation may exist; and we suspect in others it is an imperative duty openly to refuse to do it. If in any place such abstinence would countenance false doctrines, or false principles of morals, or sanction infidel sentiments, or add weight to infidel measures, we ought not to give place by subjection, no not for an hour. Let real love to our brethren, guided by the word of God, direct our conduct, and though we may not all act in the same way, we shall all act right.

It follows also from the very nature of expediency, that every man must be allowed to decide and act for himself. He is not to subject his conscience or conduct to the judgment of others in such cases. If a thing be indifferent in its own nature, if God has neither commanded nor forbidden the use of it, then I must decide for myself, whether it is right to use it or not. It is a question which no man can decide for me, and which depends on whether most good will result from using or not using the thing in ques-

tion; a point often exceedingly difficult if not impossible with any confidence to decide. This is the very principle which Paul so strenuously asserted. While he said it was wrong to eat meat with offence, (i. e. so as to cause others to sin,) he said also, Let not him which eateth not, judge him that eateth. Who art thou that judgest another man's servant, and to his own master he standeth or falleth. Let every man be fully persuaded in his own mind. He that eateth, eateth to the Lord, for he giveth God thanks, and he that eateth not, to the Lord he eateth not, and giveth God thanks.

It is only stating what has already been said in another form, to say that expediency never can be the ground of any general and peremptory rule of duty as to any specific thing. The general principle is plain and admitted, but the application varies with every man's circumstances, and must be left to each man's conscience. All those general declarations therefore, of the duty of total abstinence, from the use of intoxicating drinks, if they do not rest on the false doctrine, that such use is in its own nature sinful, have no foundation at all. Expediency can only sustain the declaration that the use is wrong in certain circumstances; for if it is wrong under all circumstances, it is wrong in its own nature. Brethren evidently deceive themselves. They say they take the ground of expediency and then proceed to make declarations and lay down rules which can have no other foundation than the inherent evil nature of the thing denounced—Would Paul have laid down the general proposition, that eating meat offered to idols was "an offence," which should exclude a man from the communion of the church? Does he not say the very reverse, and forbid our making the use or disuse of any thing indifferent in its own nature, a condition of Christian communion? Let brethren ponder the fourteenth chapter of his epistle to the Romans, and we are persuaded they will feel that all such general rules as that under discussion in the Assembly are anti-scriptural, and subversive of the true principles of morals, as well of Christian liberty and love. No one doubts that a man may make such a use of his liberty, as to dress, as to manner of living, as to eating or drinking, as shall clearly show he has not a Christian spirit, and for such offence he may be dealt with as the case deserves; but this is a very different thing from laying down the general rule that every man who dresses or lives in a certain way, or who

eats or drinks certain things, shall be excluded from the church. How can any one believe that every man that buys and sells wine, that has a vineyard, or who turns his apples into cider is, the world over ipso facto, proved not to be a Christian? Yet this is the length to which the principle involved in the minute before the Assembly must of necessity go. A man may use wine under circumstances which prove that he is a bad man; but this does not prove that the use of wine shows him to be wicked. He may retail intoxicating drinks in a way that shows he is not a Christian, but this does not prove that the act of retailing them vitiates the evidence of his Christian character. If a thing is right or wrong according to circumstances, it cannot be said to be in itself a bar to Christian communion.

It seems strange to us, that any one should contend that making the use or sale of intoxicating drinks as a beverage, in itself a proof that a man is not a Christian, is not adopting "a new term of communion." If you establish a new test of piety, you certainly thereby establish a new term of communion. If the fact that a man holds slaves, or that he sings Watts's psalms, or that he uses wine, is made to prove he is not a pious man, do you not, in the common and correct sense of the terms, make those things conditions of union with the church? And is it not plain that by so doing you violate the scriptures, place yourself above the Master, and undertake to prescribe rules for his house on your own authority and contrary to his will?

One of the greatest evils of these extremes, is that it forces those who oppose them into a false position. Because they oppose an erroneous and injurious method of promoting temperance; they are looked upon as opposing temperance itself; they are said to take part with the drunkard, and to stand in the way of all that is good. Did Christ favour the disregard of the Sabbath, because he exposed the error of the pharisees? Did he promote intemperance, because he resisted the ascetic doctrines of some of the Jews? So his enemies said, but was it true? If evil flows from these discussions about temperance, whose fault is it? Are they to blame who oppose false principles, or they who advance them? Reproach on either side is nugatory. The simple question is, what is true and right? May we not hope that brethren who agree in thinking not only that intemperance is a great sin, but that it is

a sin which calls for special watchfulness and zealous opposition; will agree as to the principles on which that opposition is to be conducted? We may be certain that if the principle on which the temperance reformation is made to rest, is not sound, the whole effort will come to a disastrous end. Those therefore are the best friends of temperance, who contend for the truth.

There were several other subjects brought before the Assembly, which we should be glad to notice, but we have so far exceeded our limits, that we must hasten to

The Close of the Session.

“The Assembly,” says one of the reports of the proceedings of the body, “was peculiarly happy in the choice of a moderator. Dr. Spring presided with dignity, impartiality and Christian courtesy, and probably the whole church could not have furnished one, who would have done more real honour to the moderator’s chair, and given more general satisfaction to the Assembly, than the individual that was selected.” At the close of its session the Assembly resolved to spend an hour in devotional exercises. Brief addresses were made by Dr. Hoge, Leland and the moderator; several prayers were offered and hymns sung, and the Assembly was finally dissolved after the apostolic benediction was pronounced. We believe an Assembly has seldom met, whose deliberations were conducted with greater wisdom, decorum and kind feeling, and the members appear to have separated with hearts warmed with new love for each other, their divine master and the church.

ART. VI.—*Mode of Baptism: A Correspondence between Rev. Howard Malcom and Rev. N. L. Rice.* With remarks by the latter. Lexington, Ky., Svo. pp. 28.

THE Reverend Mr. Rice, of Paris, Kentucky, delivered a course of lectures at Georgetown in the same State, during the last winter on the subject and mode of Baptism. He afterwards received a letter from President Malcom of Georgetown College, containing nine questions; of which, he says “You remember you made every one of these assertions and denials, and that in round set terms.” These questions he proposes to refer to “any professor of the ancient