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**Library of
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*From the Library of
Samuel Miller, D.D.*

*In Memory of
Judge Samuel Miller Breckinridge, D.D. '50.*

*Presented by
Samuel Miller Breckinridge Long, '03.*

LATELY PUBLISHED, BY THE SAME AUTHOR,
PRESBYTERY AND NOT PRELACY
THE SCRIPTURAL AND PRIMITIVE POLITY;

PROVED FROM THE
*Testimonies of Scripture; the Fathers; the Schoolmen; the Reformers;
and the English and Oriental Churches.*

ALSO,
THE ANTIQUITY OF PRESBYTERY;
INCLUDING
AN ACCOUNT OF THE ANCIENT CULDEES, AND OF ST. PATRICK.

ALSO
ECCLESIASTICAL REPUBLICANISM;
OR, THE
REPUBLICANISM, LIBERALITY, AND CATHOLICITY
OF
PRESBYTERY,
IN CONTRAST WITH PRELACY AND POPERY.

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CRITICAL NOTICES, WHICH HAVE ALREADY APPEARED:

*From the Rev. Samuel Miller, D. D., Professor in the Theological  
Seminary, Princeton.*

I HAVE read the volume entitled "Presbytery and not Prelacy, the Scriptural and Primitive Polity," &c., with unfeigned and high pleasure; and although not able to acquiesce in every opinion and statement which it contains, yet I consider it, in its great outline, as clear, learned, powerful, and altogether conclusive in the refutation of Prelacy and establishment of Presbyterianism. It takes a more comprehensive and complete view of the whole controversy than is to be found in any other single volume with which I am acquainted, and appears to me to be eminently adapted to be useful, and well worthy of the thanks and patronage of every member of the Presbyterian Church. It is eminently a learned work. The author has not suffered himself to write, as too many of the ignorant and arrogant advocates of the sect which he opposes have done, without an acquaintance with more than his own

side of the question. I doubt whether there is another individual in the United States who has read so extensively on this subject, and especially who has made himself so familiar with the works of the highest and best authorities of the Episcopal denomination. Mr. Smyth is undoubtedly entitled to the character of an able advocate and benefactor of the Presbyterian Church. With regard to every important Episcopal claim, he has not only shown that it has no support whatever in the word of God, but that it has been given up as untenable by the most learned and venerable authorities among Prelatists themselves.

With regard to the second work, of smaller size, by the same author, entitled "Ecclesiastical Republicanism," it merits the same general character with its larger companion. It is learned and ample in its compass, forcible in its reasoning, and perfectly unanswerable in its statements and conclusions.

These works cannot fail of making a deep impression on all minds capable of estimating the weight of either authority or argument. Every Presbyterian in the United States ought to feel himself a debtor to the author.

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*From the Biblical Repertory.*

We have here two new volumes by the indefatigable author of the Lectures on Apostolical Succession. The more elaborate and important of the two is constructed on the same general method with its predecessor, but with the advantage of appearing in a more digested, systematic form. In either case, the circumstance which first strikes the reader is the number and variety of authors quoted. None but a well stocked and selected library could furnish the material of such a volume. It is in this richness of material that the value of the work chiefly consists.

If, in addition to the summary view which we have given of the author's plan, and the more general remarks preceding it, we thought it necessary to characterize this treatise as a whole, we should call attention, in the first place, to the comprehensiveness of its design. We are not aware of any interesting or important question, involved in the controversy, which is left untouched. The extent and variety of the author's reading, upon this and kindred subjects, have made him acquainted with the various aspects under which the whole dispute has been presented, and with the precise points which are now at issue. If he has not always made them as distinctly visible to the reader as they must be to himself, it has arisen from the difficulty, which we have already pointed out, of executing with uniform success a somewhat peculiar and complicated plan. We are free to say, however, that no one can attentively peruse this volume without having fully, and

for the most part clearly, brought before his mind the various theories of church government, and the grounds on which they are supported, often in the very words of their respective advocates. This latter circumstance, while it detracts, as we have seen, from the unity and absolute consistency of the author's own argument, adds much to the historical and literary interest of his performance. Its merit, in this respect, is greater than any but an attentive reader would imagine. We are constantly surprised at the industry with which all accessible authorities have been resorted to, and so cited as to furnish the means of more particular examination on the reader's part. In this the author has done wisely, not so much for mere immediate success as for permanent utility and reputation. This volume, like its predecessor, will be apt to alarm American readers by its bulk and show of erudition. Those who have been nourished on the modern diet of newspapers and cheap literature have little taste or stomach for more solid aliment. But even some who are at first repelled by the magnitude and copious contents of the volume, may hereafter resort to it as a guide to the original sources of information, and thus be led to read the whole. In this connexion, we must not omit to mention a valuable catalogue or index of the most important works upon the subject, which the author has prepared, and appended to the volume. Most of these works are in his own possession, and have been employed in the construction of this treatise.

Another creditable feature of the work, considered as an original argument, is its freedom from extremes, and an enlarged view of the subject of church government, which could never have resulted from mere solitary speculation, but which has obviously flowed, in this case, from an extensive comparison of opinions with the grounds on which they rest. By such a process one becomes aware that what might otherwise have appeared to be a happy discovery is nothing more than an exploded error, and that much is to be said, and has been said, in favor of opinions, which dogmatical ignorance would at once set down as obsolete absurdities. We think it the more necessary to make this general commendatory statement, because we differ from the author as to some points, both of his reasoning and interpretation, only one or two of which could be even hinted at on this occasion.

These are particulars in which our native publications are too commonly defective, and which we hope will contribute to the circulation of the one before us, abroad as well as at home. On the whole, we look upon the volume as another pleasing and creditable proof of what may be accomplished by untiring industry, not only in retirement or in academical stations, but amidst the labors of an important pastoral charge. That such a situation is no excuse for idleness, is clear from such examples as those of Mr. Smyth and Mr. Barnes.

*From the American Biblical Repository.*

**ECCLESIASTICAL REPUBLICANISM, &c.**—Mr. Smyth is already well known and duly appreciated as the author of several volumes on ecclesiastical polity, Apostolical succession, Presbytery and not Prelacy Scriptural, Ecclesiastical Catechism, &c. The present volume is designed to show that Presbytery is preëminently republican, that it is liberal and catholic, and admirably adapted, in its principles, both dogmatical and ecclesiastical, to our system of civil polity.

We have always wondered how those who hold to episcopacy could contend for its republicanism and adaptedness to our system of representative government. It seems to us too manifest to be denied, without a blush, that the principles of presbytery, in its extended sense, are precisely those which lie at the basis of our political structure, that they are essentially liberal and republican, and equalled by no others in their accordance with the free spirit of our popular government.

The author has done his part well, and his work merits the commendation of all non-episcopal, and the attention of all episcopal communions. At the present crisis, it is especially demanded, when so lofty claims are set up by those who deem themselves the only conservators of the rights and privileges of God's house. May the writer be rewarded for his work of faith!

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**PRESBYTERY AND NOT PRELACY, &c.**—It is not in our power now to devote as much space to a notice of this work as its merits certainly would justify. It is well worthy of an extended review, and we should be pleased to have one offered for our pages, as we fear our own pressing and multiplied engagements will not allow us the time necessary for its preparation.

Mr Smyth has taken hold of a great subject with great zeal, and stands up manfully in defence of non-episcopal polity. The day seems to have come when we must again buckle on the armor for a conflict with the papacy and sub-papacy, or Newmanism! We must show the people that we stand on solid ground, when we maintain the parity of the ministry, and undertake to substantiate our claims to as high and holy a succession, and as rightful and regular an administration of the ordinances of Christ's house, as ever belonged to Pope or Prelate.

But to the volume. Mr. Smyth has here furnished an armory, where the presbyter can be readily supplied with a panoply, all-sufficient for his defence against the hottest onsets of his antagonists, and indeed one in which he can go forth with confidence of victory.

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*From the Southern Quarterly Review, for October, 1843.*

It was with much pleasure that we noticed, the other day, that Princeton College, N. J., had conferred on the learned and pious author of this work, the honorary degree of Doctor in Divinity. No Southern Divine is more worthy of the high distinction, and the Faculty of that time-honored institution have exhibited a proper discrimination, in this instance, which will meet with the approval, not only of the friends of that gentleman, but of the whole body of scholars throughout the South. Dr. Smyth has, after many years of laborious research, at length completed his great work on "Presbytery and Prelacy," which is a monument at once of his learning, his industry, and his impartiality. It is an argument in behalf of Christian liberty, in which he advocates, in a style of great force and elegance, and with profound learning, "principles which are common to Congregationalists, Presbyterians, Reformed Dutch, Lutherans, Baptists, and Methodists."

We have just received these works, and, amidst a multiplicity of engagements, have not yet had time to give them more than a cursory perusal. Our impressions are, upon the whole, most favorable. We intend to place them in the hands of an eminent Presbyterian theologian, for the purpose of review,—a respect which is due to their high literary character.

*From the New-York Tribune.*

**PRESBYTERY AND NOT PRELACY THE SCRIPTURAL AND PRIMITIVE POLITY.** By Thomas Smyth. New-York: Leavitt, Trow & Co., 194 Broadway.

This book professedly enters into the controversy between different religious sects; and it is obviously improper for us to express an opinion as to the conclusiveness of the argument which the author has made. But we readily bear full testimony to the learning, the ability, industry, and enthusiasm which the author has brought into the very important discussion with which the book is occupied. He professes to place himself upon ground held in common by all denominations of Christians except Prelatists and Papists, and comes forward as a representative of them all, against Episcopacy in any form. He regards the present day as a most important crisis in this great discussion. The efforts of the Roman and Episcopal Churches to establish their exclusive right to be considered the true and primitive Church, which are perhaps more rigorous and general than they have been heretofore, render necessary, in his opinion, more labored fundamental arguments in defence of non-episcopal tenets. He has accordingly sought to furnish in this work an armory whence proofs and authorities may

be drawn in the controversy. In the first book he aims to show from the Holy Scriptures that Presbytery is the Apostolical order of the Church of Christ; he does this by referring to the condition of the Church at the time of and immediately after the Saviour's ministry, by appealing to the Apostolic age of the Church, and by showing that presbyteries are clothed by Apostolic authority with the functions of the ministry and by divine right with ecclesiastical jurisdiction and the power of ordination. In the second book he attempts to show the same points by an appeal to the Fathers; and the third book treats of the antiquity of Presbytery, with an exhibition of the presbyterianism of the ancient Culdees of Ireland and Scotland, and also of St. Patrick. From this statement the theological reader will readily infer the extent and nature of the argument, which is conducted by the author with signal ability and learning. The work cannot fail to be highly useful, and must be greatly prized by those who feel a decided interest in these discussions. Mr. Smyth is a well-known divine of South Carolina, and is the author of several other religious works of merit and popularity. The present work is published in a very neat form, on clear type, in an octavo volume of nearly 600 pages.

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**ECCLESIASTICAL REPUBLICANISM.** By Thomas Smyth. New-York: Leavitt, Trow & Co., 194 Broadway.

The purpose of this work is to disprove the determined claim, which the Prelatic and Romish Churches are said to prefer, to a greater conformity in spirit and in order to our republican institutions than any other denominations. The author is well known to the religious public as the author of several works upon subjects nearly allied to this; and his present work is the result of certain studies into which he was compelled quite largely to enter in the progress of preparing those already issued. The subject is evidently one of great and growing importance; and those who take an interest in it will find it here discussed with great learning and ability. The argument is condensed, and yet comprehensive; and we commend the work to the attention of those for whom it was specially written.

*From the New-York Evangelist.*

We expected to find the evidences of learning, research, candor, and signal ability in this volume, and have not been disappointed. The author is a clear and cogent reasoner, an honest lover of the truth, and possesses a kind Christian spirit, and rare qualifications for the work to which he has addressed himself. The claims of Prelacy are examined in all their aspects, and are



frankly met and fairly disposed of. We hardly know how any question, not within the reach of a mathematical demonstration, could be more effectually settled. We cannot coincide with all the views taken, but the main citadel he has so completely carried, that we cannot withhold our voice from the chorus of victory.

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**ECCLESIASTICAL REPUBLICANISM**; or, the Republicanism, Liberality, and Catholicity of Presbytery, in contrast with Prelacy and Popery. By Rev. Thomas Smyth. 12mo.

The author's design has been to show the despotic tendencies of Popery and Prelacy, by contrasting with them the free, liberal, and catholic influence of non-Episcopal forms of church government. The term "Presbytery" he applies in a generic sense, to all denominations who reject prelatical bishops. He maintains its republican tendency in its ecclesiastical and doctrinal character, and presents an array of facts and arguments which show the danger of the sects he opposes. The work is written in a free and animated style, well adapted for popular effect. It is very timely, and should find many readers.

*From the New-York Observer.*

**ECCLESIASTICAL REPUBLICANISM**; or the Republicanism, Liberality, and Catholicity of Presbytery, in contrast with Prelacy and Popery. By Thomas Smyth, Author of Lectures on the Apostolical Succession, &c.

An eloquent and able treatise on a delicate subject, and unless we mistake the temper of the times, the book will attract some attention and provoke discussion. Particularly will it be an offensive doctrine to many that Presbyterianism is more congenial to our free institutions than other forms of church government; but this point our author defends valiantly by history and argument.

Mr. Smyth is one of the most voluminous writers of the day. But his books are not merely *volumes*. They are the result of deep study and minute investigation, and as such are worthy of being read by intelligent men.

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**"PRESBYTERY AND NOT PRELACY** the Scriptural and Primitive Polity," &c.

The author of this handsome octavo of 550 pages, is Rev. Thomas Smyth, of Charleston, S. C., whose former works have introduced him to the favorable notice of the public as an expert controversialist, a diligent student, and a man of extensive research and considerable vigor of mind. In the book before us he has with labor, which we do not envy him, collected a vast array of

testimony from Scripture, the fathers, the schoolmen, the reformers, and the English and Oriental churches, to show the antiquity of Presbytery, and to establish the fundamental doctrine of his work, that Presbytery is the Apostolic and Scriptural form of church government.

At this time very many clergymen and laymen are turning their attention anew and with zeal to the investigation of this subject; and to all such, whether Episcopalians or Presbyterians, we commend this volume, as a valuable digest of the evidence in favor of the Presbyterial side of the question. Clergymen who are writing on the subject will here find reference to numerous authors, and will be spared the labor of much investigation by consulting Mr. Smyth's armory. It may be found at the principal bookstores in the chief cities of the United States.

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*From the Christian Observer.*

This handsome volume is an octavo in size, containing about 570 pages, printed on fine paper and in excellent style. It is divided into three books, which are also subdivided into chapters.

Such, briefly, is the ground occupied by this volume. We have no personal acquaintance with the writer—but we regard his work as important and valuable, and well adapted to promote the interests of truth. The great subject, which he has ably discussed, is assuming new importance in the estimation of the public. The claims of Prelacy, and the ominous movements in the Episcopal Church, are calling attention to it. Many minds are awake to the tendencies of Prelacy, watching its developments as affecting the purity of Christian doctrine, the spirituality of the Church, and the rights of Christian men. Many are seeking information and truth on this subject. To such, this work will be truly acceptable. Its numerous extracts from the works of distinguished writers of every period in the history of the Church, will render it highly valuable to ministers, to students, and to the class of general readers to which we have just referred.

Of the work on Ecclesiastical Republicanism, this paper says:—

The character of this work is indicated by its title. The subjects ably discussed in it are important and worthy of the attention of American citizens, &c.

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*From the New England Puritan.*

We have read this book with much satisfaction. It is the fruit of extensive research. The author has had access to abundant

materials, and has well improved his advantage. He is a sanguine ex animo and jure divino Presbyterian; and his predilections have led him into some errors. He finds Presbyterianism where we find Congregationalism. Indeed, we can hardly quarrel with him for this; since his definition of Presbyterianism is so broad, as to embrace such men as Dr. Owen. Let us have Presbyterianism after Dr. Owen's stamp, and we concede that the Scriptures and the Primitive Church favor it.

With the exception above named, the argument of the book is powerful and conclusive. It is not only a valuable offering to the Presbyterian Church, but it will be read with profit by all denominations; and we hope it will have an extensive circulation.

*From the Christian Watchman.*

The plan and design of the author are briefly indicated by the title-page. He has dedicated his work to the Presbyterian, Congregational, Reformed Dutch, German Lutheran, Methodist, and Baptist denominations, and declares in his preface that the aim of the work is catholic and not sectarian.

The subject embraced in this treatise, describes the great battlefield on which are to meet the friends and the opposers of evangelical piety. All mankind must have a religion. Enlightened nations cannot tolerate idolatry, it is too absurd. It matters little what the form is, if it have not the elements of evangelical piety. The gospel plan is simple. It is sustained and carried forward by the power of the Holy Ghost. If you set aside this plan, you must have pomp and ceremony, and the natural tendency is to a priesthood.

The work of Mr. Smyth is elaborate. He seems to have surveyed the whole ground, and has been at great expense in collecting and digesting whatever has been written upon the subject. With the peculiar views of the author on the subject of Presbyterianism as opposed to Congregationalism, we have no sympathy, but in the main question we concur with him.

The work is divided into three books, &c.

*From the Presbyterian (Pittsburgh) Advocate.*

We have also received by the kindness of the author, Rev. Thomas Smyth, of Charleston, S. C., his recent elaborate work, entitled—"Presbytery and not Prelacy the Scriptural and Primitive Polity" of the Christian Church. This book consists of twenty-four chapters, and is a learned and elaborate discussion of

the important topics brought under review in the controversy on Church Government with Papists and Prelatists. The design of the writer, as he informs us, was to condense the substance of the innumerable treatises which have been written on the subject, and to arrange their various topics in a more complete and comprehensive order, so as to present them in as perfect, clear, and satisfactory a manner as the limits of a single volume would permit. That Mr. Smyth has succeeded in his design, is testified by many competent witnesses, such as the *Biblical Repertory*, and others of the same high standing. After years of laborious research and comparison of the views of a large number of the ablest writers upon the subject, he has given us the result in this handsome octavo of 560 pages. It is very neatly got up, and printed upon fine paper; and in connection with an equally elaborate and applauded work, on the Apostolical Succession, and a third on Ecclesiastical Republicanism, all issued within a few years, forms a very creditable testimony to the genius and industry of the author. These works may be had at Carter's, Market-street.

By a private note from the same author, we are gratified to learn that the third edition of his "*Ecclesiastical Catechism*," will be immediately issued from the press. This manual of instruction, designed to explain in familiar question and answer, the Presbyterian form of Church Government, has also received high commendation from various most respectable sources.

*From the North American.*

**PRESBYTERY AND NOT PRELACY** the Scriptural and Primitive Polity, proved from the testimony of Scripture, the Fathers, the Schoolmen, the Reformers, and the English and Oriental Churches. Also, the Antiquity of Presbytery, including an account of the ancient Culdees and of St. Patrick. By Thomas Smyth, author of *Lectures on the Apostolic Succession*, &c.

This is an octavo volume, beautifully printed, and containing 600 pages. It is for sale by W. S. Martien, S. E. corner of Seventh and George streets. As the work of a most able and learned writer, it will doubtless be extensively read among all classes of Protestants whose faith and discipline are adverse to Episcopal government. More than this it is not the part of our press to say.

*From the N. Y. Journal of Commerce.*

**SMYTH ON PRESBYTERY AND PRELACY.**—The title-page of this elaborate work indicates the object and design of the author. It is as follows:—

**Presbytery and not Prelacy the Scriptural and Primitive Polity,** proved from the testimonies of Scripture, the Fathers, the Schoolmen, the Reformers, and the English and Oriental Churches. Also, the Antiquity of Presbytery, including an account of the Ancient Culdees, and of St. Patrick. By Thomas Smyth, author of *Lectures on the Apostolical Succession, &c.*

The author declares the aim of the work to be catholic, and not sectarian. He has dedicated it to the Presbyterian, Congregational, Reformed Dutch, German Lutheran, Methodist, and Baptist denominations, whose common principles of ecclesiastical order, in contrast with those of Prelacy and Popery, it is mainly designed to advocate.

Here, in the compass of an octavo volume of 540 pages, Mr. Smyth has condensed the substance of all that is valuable in the innumerable treatises that have been published on this great controversy. In the collection of these works in London and on the Continent of Europe, great expense was incurred; and in perusing, collating, and digesting them, the labor of years has been applied. The lucid arrangement adopted by the author tends much to enhance the interest of the various topics so ably and satisfactorily discussed. The work is divided into three Books, each of which is subdivided into several chapters. Book I. is designed to show that Presbytery, (under which term the author includes those generic principles common to all the non-Episcopal Christian denominations,) is the Scriptural and Apostolic order of the Church of Christ. In Book II. the claims of Presbytery to the true Apostolic or ministerial succession are sustained by an appeal to the Fathers, the Schoolmen, the Reformers, and to the Romish, Anglican, and other Churches. Book III. treats of the antiquity of Presbytery; and describes the Presbyterianism of the ancient Culdees of Ireland and Scotland, and also of St. Patrick.

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**SMYTH ON ECCLESIASTICAL REPUBLICANISM.**—The necessity of compressing the preceding work within the briefest compass, compelled the author to leave out certain chapters originally designed to be embodied in it. Part of these related to the republicanism, liberality, and catholicity of Presbytery, in contrast with Prelacy and Popery. These have been published in a duodecimo volume of 300 pages and upwards, bearing the title prefixed to this paragraph. The author successfully exposes the futility of the arguments commonly advanced in favor of the claim preferred by the Prelatic and Romish Churches, to an exclusive catholicity, and to a greater liberality than other denominations. In contrasting the different ecclesiastical systems, he shows triumphantly the superior adaptation of Presbytery to the system of our republican

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government—its greater conformity, in spirit and in order, to our institutions.

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*From the Presbyterian.*

Not long since we had the pleasure of commending to the notice of our readers an octavo volume on the Apostolical Succession, from the author whose fertile pen has now produced the two above named works. As our readers may perceive, these volumes bear upon the same great subject, and are the results of much study, and very extensive reading. \* \* \* \* As in his "Apostolical Succession," so in these volumes, Mr. Smyth has investigated his subject thoroughly, and constructed a full and conclusive argument in favor of Presbyterianism. In the former work, the claims of Presbytery as the true Apostolical order of the Church of Christ, are sustained in an argument of much force and great variety.

The second work, on "Ecclesiastical Republicanism," is one peculiarly suited to the times. The author very successfully proves that Presbytery is republican in its doctrinal and ecclesiastical systems. He investigates its structure, and from every part of it deduces this character of it, and not only so, but proves that in comparison with other forms of Church polity, it is pre-eminently so. It indeed constitutes the best defence of Presbyterianism against the current slanders of the day, with which we have met, and while we hope the former work will find an honorable place in the library at least of every Presbyterian clergyman, this we should hope will be found in every Presbyterian family as well adapted to popular reading. Hoping that these books will be reviewed in our Monthlies and Quarterlies, we conclude our short notice of them with thanks to the author for his indefatigable labor in these particular departments, to which the controversies of the day have given unusual prominence. Prelacy with its arrogant pretensions will and must be defeated by the resistance which it is now arousing.

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*From the Charleston Courier.*

Two very able polemic works, the one entitled "Presbytery and not Prelacy the Scriptural and Primitive Polity," and the other, "Ecclesiastical Republicanism," from the pen of the Rev. Thomas Smyth, have been received and are for sale at the different bookstores in this city. The author in the composition of these works has shown himself an able controversialist, reasoning with clearness and cogency, and exhibiting great learning and

research. These volumes certainly place him high as a writer, and entitle him to rank among the foremost as a champion of his Church. Our neutrality on matters of religious controversy precludes us from an examination of the subjects discussed; and we therefore simply refer our readers to the following notices of these works, in other papers, to show the estimation in which they are held.

*From a Writer in the Charleston Courier.*

The Rev. Mr. Smyth's promised Treatise on Presbytery and Prelacy, has at last appeared, and will be found to sustain, in every way, his high reputation as a polemic and a controversial writer. In fact, he has proved himself absolute master of his subject, and fully competent to its discussion throughout the minutest details.

In the present work he assumes, however, a new position, and deserting his former posture of defence, assails his opponents with singular vigor and dexterity. There are, of course, two sides to every question; but he has fortified his views with such abundance of quotation from authority, such fertility of illustration, and such ingenuity of reasoning, that we shall wait with some impatience of curiosity to see what grounds of reply have been left to his antagonists.

Whatever else may result from these disputes, one thing is certain; that no theological library can be considered as properly furnished, in regard to this topic, which shall not contain these well-written and highly interesting volumes.

*From the Rambler, by John B. Irving, M. D. (Charleston, S. C.)*

Smyth's works on Presbytery and Prelacy and Ecclesiastical Republicanism, from the press of Crocker & Brewster, Boston, are before us.

The rule we have laid down for ourself in the conduct of the Rambler, forbids our entering into the discussion of any subject connected either with politics or religion; but we are bound in justice to *Southern Literature*, to notice in the most favorable manner the works before us, evidencing as they do the research and fine literary attainments of the author. These publications, like many others, should be attentively read by all seeking the truth—"either to make or break a faith." For our own part we are free to confess that *we have no prejudices*, and cheerfully read any work put into our hands on doctrinal points, happy to be set right whenever it is satisfactorily proved to us, that we have been

in error. Of all prejudices on earth, the most fatal to the spread of truth, to peace and good will among men, is religious prejudice!

*From the Southern Christian Advocate.*

This elaborate Treatise, from the pen of our accomplished fellow-townsmen, the Rev. Mr. Smyth, is dedicated to the Presbyterian, Congregational, Reformed Dutch, German Lutheran, Methodist, and Baptist denominations, whose common principles of ecclesiastical order, in contrast with those of Prelacy and Papacy, it is mainly designed to advocate. The work is divided into three Books: the first, showing that Presbytery is the Scriptural and Apostolical order of the Church of Christ: the second, exhibiting the claims of Presbytery to the true Apostolical or Ministerial Succession, by an appeal to the Fathers, the Schoolmen, the Reformers, and to the Romish, Anglican, and other Churches: the third, presenting the antiquity of Presbytery, with a detailed historic account of the ancient Culdees of Ireland and Scotland. The whole forms a contribution to sacred letters, for which the country in general, the South in particular, is laid under special obligations to the author. The subject discussed, important at any time, is vitally so at the present day. Upon it hinges a ten years' controversy, in which an unprecedented amount of learning and vigor has been expended, and around which, all that is vital in Christianity, and hopeful for the redeemed race of mankind, is gathered.

Although we may not go the whole way with the author, in the minuter details of his subject, we agree with him in the leading principles he advocates, and thank him for the noble vindication which this publication, in connection with his work on Apostolical Succession, asserts against the growing intolerance of the times.

The work is beautifully printed, and for sale at the Methodist Southern Book-room, 240 King-street.

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**ECCLESIASTICAL REPUBLICANISM.**—A Treatise under this title has recently been given to the world by the Rev. Dr. Smyth, of this city, who is advantageously known to the Christian public as the author of several valuable works on subjects of vital importance at the present time to Protestant Christendom. We have carefully read this publication, and do not hesitate to say that, in our opinion, it is one of the author's best productions, both as to force of reasoning and finish of style.

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It is but due to Dr. Smyth to add, and we take pleasure in doing so, that we except his publications entirely from the foregoing cen-



sure. His notice of the Methodist E. Church in his work on Ecclesiastical Republicanism, is frank and kind; and although he has not presented the peculiarities of its organization in the point of light which we think sheer justice demands, yet he has not descended from the port of the catholic Christian, the accomplished scholar, the finished gentleman, to misrepresent and injure.

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*From the Charleston Observer.*

It is about two years since the Rev. Mr. Smyth, of this city, issued a large volume, entitled "The Prelatical Doctrine of the Apostolical Succession examined, and the Protestant Ministry defended against the assumptions of Popery and High Churchism"—and this is now followed by an 8vo volume of nearly 600 pages. The larger part of the work is devoted to the proof that Presbytery is the Scriptural and Apostolical order of the Church. Then the claims of Presbytery to the true Apostolic Succession are sustained by an appeal to the Fathers, the Schoolmen, the Reformers, and to the Romish, Anglican, and other Churches—and the work concludes with proofs of the antiquity of Presbytery; with an exhibition of the Presbyterianism of the ancient Culdees of Ireland and Scotland, and also of St. Patrick. In defining his position, Mr. Smyth maintains that Presbyters are the only Bishops recognized in the word of God—that they are empowered to discharge all the offices and functions of the Christian ministry—that they succeed to all that authority, and to all those duties which have been devolved, by the Apostles, upon their successors in the ordinary and permanent ministry of the Gospel, and that there is no other order of Ministers distinct from and superior to them, to whom is given the exclusive possession of all ecclesiastical authority. He then openly denies the truth of the position, as maintained by Prelatists—that there are three original and distinct orders in the ministry—Bishops, Presbyters, and Deacons—each instituted by Divine right through the inspiration of the Holy Ghost, and each of them essential to the valid constitution of a Church of Christ. His work is, therefore, both didactic and polemic. He shows both what is, and what is not, the Primitive, Scriptural, and Apostolical order of the Church. Besides frequent brief appeals to the Scriptures, he has brought about fifty passages in particular illustration of the positions which he has assumed; and his references are numerous to the most eminent writers on the subject, both ancient and modern. From the rich sources of information in the possession of the author, he could have compiled a work of great service to the truth and to the Church; but he has done much more. He has furnished as original a production as the nature of the subject would admit—

admirably arranged—and if there be any fault, it is in the superabundance of the proof brought to sustain positions which cannot be successfully controverted. So that if any should undertake to answer it, they will pass lightly over the main argument, and seize upon some of the appendages to which even the author has attached very little value. It is possible that Prelatists may pass this work by, under the assumption that their claims are beyond the reach of any such appeal. But whether they notice it or not, it will commend itself to the judgment and conscience of every intelligent and impartial reader. There is, moreover, very little, if any tuing, which may properly be called sectarian, in the work. All but Prelatists may read and enjoy it, and we feel no hesitancy in recommending it, especially to those who are set for the defence of the Gospel. This, together with the work on the Apostolic Succession, forms two of the best TRACTS FOR THE TIMES with which we are acquainted.

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*From the (N. Y.) Baptist Advocate.*

An octavo, of nearly 600 pages, handsomely printed on clear paper, and neatly bound. It is designed, not to exhibit and enforce all the doctrines and views of Presbyterianism, but merely to prove, from Scripture, history, and reason, that instead of three orders in the ministry, as Churchmen claim, there was instituted by the Apostles, and has continued throughout a great part of the Church till the present day, but one order, that of Presbyters or Elders, holding one, and a uniformly equal office. To sustain this view, the author has collected a mass of testimony and evidence from ecclesiastical writers, which evinces a degree of research not often expended in our day in preparing a volume for the press. The prelatical assumptions of Puseyism are wrested from them by the force of weapons taken from the hands of illustrious Churchmen, and little is left to cover their mortified defeat, but their own imperturbable effrontery.

The author does not fail of argument, but the chief merit of the work consists in its abundant and appropriate extracts, quotations, and citations from authors not accessible to many readers. Care is taken, we believe, in every instance, to give in a note the book and page referred to in the body of the work.

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*From the Southern Baptist Advocate.*

That these are able, learned, and, on the whole, candid works, it needs not our suffrages to testify. Mr. Smyth, in a commendable spirit of charity, would construe the word Presbytery as em-

bracing the Eldership of all non-prelatical Churches. Let him speak for himself on this important point. \* \* \* \* \* This first work will materially aid the young student of ecclesiastical government in arriving at that understanding, and as such, we cordially recommend it to his attention. We wish we could copy the whole of Mr. Smyth's "Contents," but this our limits do not permit. Those of the first three chapters of Book I., and those of Book III., will give a fair idea of the whole.

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*From the Southern Chronicle.*

We have received of the Reverend Author, "Presbytery and not Prelacy the Scriptural and Primitive Polity, proved from the testimonies of Scripture, the Fathers, the Schoolmen, the Reformers, and the English and Oriental Churches." Also, "Ecclesiastical Republicanism; or the Republicanism, Liberality, and Catholicity of Presbytery in contrast with Prelacy and Popery;" both by the Rev. Thomas Smyth, D. D., of Charleston.

The author is already favorably known to the religious public through his "Lectures on Apostolical Succession," and other works; and although we have not had time to form any opinion of the merits of the works before us, we have no doubt, from his established reputation, and character for piety and learning, they will be an acquisition to the theologian and patriot.

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*From the South Carolinian.*

In this work, as we gather from its preface, etc., not having had leisure to read it, the design of the author has been to condense the substance of all that is valuable from the various treatises which have been written on this great controversy, in England and on the Continent of Europe. And, to arrange the various topics in a complete and comprehensive order, the work is divided into three Books, each of which is subdivided into several chapters.

The Rev. Author of these works is an able and accomplished scholar, whose writings are too well known and too highly appreciated by the Christian community, to require any encomium or approbation from us; and those before us have elicited the highest testimonials of approval and regard from many of the ablest religious papers and most eminent divines in the country; from among which, we select the following, by the Rev. Dr. Miller, than whom few, if any, can have higher or more deserved influence with those who concur with him in religious doctrines:

"We return our sincere thanks to the respected and gifted author, for the volumes before us, whose high character cannot fail

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## INTRODUCTION.

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*Charleston, 6th November, 1843.*

REVEREND AND DEAR SIR,

At a meeting of the Committee appointed at the Depository to act as Collectors after the delivery of your Sermon, yesterday evening, "On the claims of the Free Church of Scotland to the sympathy and assistance of American Christians," it was unanimously resolved to tender to you the thanks of the Committee for the very able, interesting, and eloquent Address delivered by you, on the occasion, and to solicit from you a copy of it for publication: and the undersigned members of the Committee to carry out and publish the proceedings, were charged with the performance of this grateful duty.

Permit us, Rev. and Dear Sir, to submit this Resolution to you, and to beg your compliance with it. We are deeply persuaded that your dis-

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course, if printed, and generally distributed, would do more, much more, to inform the public mind on the subject of it, than any thing that has yet issued from our press, and may do very much to rouse the sympathies of our fellow-citizens throughout the Union, to promote the object to which it is dedicated.

We are, with the highest respect,

Rev. and dear Sir,

Your very obedient Servants,

M. KING,

R. B. GILCHRIST,

CHARLES EDMONDSTON,

HENRY BAILEY,

ANDREW MOFFETT.

THOMAS SMYTH, D. D.

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*Charleston, November 8th, 1843.*

GENTLEMEN,

As I am induced to believe that the true character of the Free Church of Scotland, and of the principles for which she is now a witness, are not generally understood or properly appreciated, I cannot but comply with your request to publish the discourse I delivered on Sabbath evening last, upon



the claims of the Free Church of Scotland to the sympathy and assistance of American Christians. I trust that it may be, in some measure, instrumental in commending that glorious Church to the hearts of American Christians, and in deepening their attachment to those principles upon which their own civil and religious liberty are based.

With this hope, I remain, Gentlemen,

Most respectfully and truly,

Yours in the Lord,

THOMAS SMYTH.

To the

HON. M. KING,

HON. R. B. GILCHRIST,

CHARLES EDMONDSTON, Esq.

HENRY BAILEY, Esq.

ANDREW MOFFETT, Esq.

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At the same meeting of the General Committee, it was unanimously Resolved,

That the Sermon, when published, be circulated under the direction and at the discretion of the sub-Committee; and especially that it be forwarded to Protestant Clergymen, with the request that they

bring the subject under the consideration of their respective congregations, and do what may be in their power to aid the cause.

M. KING,  
R. B. GILCHRIST,  
CHARLES EDMONDSTON,  
HENRY BAILEY,  
ANDREW MOFFETT.

## P R E F A C E .

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WHILE the author was preparing to address his own congregation, upon the claims of the Free Church of Scotland to their sympathy and assistance, he received communications from several gentlemen of other churches, expressing their desire to unite in giving some public manifestation of our cordial approbation of the principles and course of that body of fellow-Christians. It was determined, therefore, to call a meeting of those gentlemen who were friendly to the object, for mutual conference. By a public notice, a meeting of gentlemen who approved of the principles and course of the Free Church of Scotland, was accordingly held in the Depository, on Tuesday evening, 31st October,

when it was found that members from seven different churches in the city were present.

On motion, the Hon. MITCHELL KING took the Chair, and HENRY BAILEY, Esq., was appointed Secretary. The Chairman introduced the subject for which the meeting was convened, by a historical review of the character and conduct of the Church of Scotland, so as to make it apparent that the principles contended for by the present Free Church, had always been maintained by that Church, either with the sanction of the State, or in persecution and distress. He was followed by the Attorney General, H. Bailey, Esq., in an exposition of the grounds upon which the Free Church of Scotland claims the sympathy and assistance of American Christians. The meeting was further addressed by Charles Edmonston, Esq., and by the Rev. Dr. Smyth, Dr. Palmer, Dr. Curtis, Mr. Gildersleeve, and others. It was then

*Resolved*, That the Rev. THOMAS SMYTH, D. D., be requested to deliver a discourse, on the claims of the Free Church of Scotland to the sym-

pathy and assistance of American Christians, on Sabbath evening next, in the Circular Church, which has been kindly granted for the occasion, and that after the discourse a collection be taken up to assist the Free Church in her present exigency, in providing churches for the seven hundred and eighty congregations which have already adhered to her.

The following gentlemen were appointed as Collectors on that occasion,—five of whom, with the Rev. Dr. Smyth, were named as a Committee to carry out and publish the proceedings of the meeting; also, to secure, as far as possible, the co-operation of the pastors of our different churches, in presenting the subject to their respective congregations; and, further, to address a circular to others throughout the State, with a view to secure further contributions.

The Honourable the Mayor, the Hon. Mitchell King, the Hon. R. B. Gilchrist, Charles Edmonston, Esq., Henry Bailey, Esq., H. W. Peronneau, Esq., H. A. Desaussure, Esq., Andrew Moffett,

Esq., James Adger, Esq., F. H. Elmore, Esq., Dr. M. T. Mendenhall, Samuel J. Wagner, Esq., F. R. Shackelford, Esq., Aaron C. Smith, Esq., William Kirkwood, Esq., G. M. Keils, Esq., Donald Mackintosh, Esq.

These collectors, who all cheerfully consented to act, are members of *ten* different churches in this city, and of seven denominations. While, therefore, the cause, which brought together the very large and respectable audience who listened to this discourse, was glorious, the assembly was itself one of the most interesting ever witnessed. It was a living exemplification of the unity of Protestants in the great fundamental truths of Christianity. Here, on the common basis of great and essential principles, the members of ten different churches could harmoniously meet, rejoice, and co-operate. One heart and one mind seemed to pervade every bosom, while with earnest prayer, devout thanksgiving, and tender sympathy, they listened to the wrongs, the sufferings, and the triumphant progress of the Free Church of Scotland. It was thus

shown, that this great event,—the establishment of that church,—is designed by God to break down the walls of sectarian jealousy and estrangement, and to concentrate the strength of Protestant Christendom in opposition to the “powers of darkness,” and in furtherance of the cause of truth and righteousness. CO-OPERATION, THOUGH NOT INCORPORATION; UNITY WITHOUT UNIFORMITY; VARIETY WITHOUT VARIANCE; ARE NOW FOUND TO BE BOTH POSSIBLE AND PRACTICABLE. The foundation of the Free Church of Scotland, and its utter renunciation of all the bigoted and exclusive views which prevented free intercourse and communion among all true-hearted Christians of every name, we regard as the first link in that golden chain which is to bind together in one body all who love the Lord Jesus Christ in sincerity and truth, “till we all come, in the unity of the faith and of the knowledge of the Son of God, unto a perfect man, unto the measure of the stature of the fulness of Christ.”

In the following discourse, it was designed to give a comprehensive view of the principles for

which the Free Church of Scotland has contended, and the grounds upon which she may reasonably expect the cordial assistance of Christians in America. Every available source of information has been sought and freely used. A faithful digest of such information,—not originality,—is what has been aimed at. The discourse is sent forth to the public to extend knowledge, awaken sympathy, and call forth liberality. If it shall, in any measure, accomplish these ends, it will have fulfilled its mission, and the author secured his reward.

*Charleston, S. C., Nov. 8, 1843.*



C L A I M S  
OF THE  
FREE CHURCH OF SCOTLAND.

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2 COR. VIII. 1-4.

“Moreover, brethren, we do you to wit of the grace of God bestowed on the churches of Macedonia ; how that in great trial of affliction the abundance of their joy and their deep poverty abounded unto the riches of their liberality. For to *their* power, I bear record, yea, and beyond *their* power, *they were* willing of themselves ; praying us with much entreaty, that we would receive the gift, and take upon us the fellowship of the ministering to the saints.”

THE substance of this passage of Scripture is this. The churches planted by the apostles in Macedonia, at Philippi, Thessalonica, Berea, and other places, had been led, by the influence of God's grace, to raise a most liberal and gen-

erous contribution for the poor saints in Judea, who had been called to suffer bitter persecution. This generosity on the part of these churches was the greater, because they were themselves the victims of persecution, and in circumstances of poverty. But so great was their love to Christ and to their Christian brethren, that, indigent as they were, they had done wonders for the relief of their yet poorer brethren. Not only were they willing to assist them when urgently solicited; they were willing of themselves, without any solicitation, to render them the most generous assistance, giving not only according to their ability, but even beyond what, on any usual principles of calculation, could have been regarded as within their power. Nay further, having prepared their contribution, they entreated the apostles with much importunity, that they would receive the gift and convey it to their needy and suffering brethren. Such is Christianity, and the working of Christian principle, upon the otherwise cold and selfish heart of man. Behold here a picture of primitive piety, a living exemplification of the spirit and power of the gospel. The church of

God was then found to be what it is represented in Scripture, one body. Unity and sympathy were characteristic of all its parts. If one member of the body suffered, the others sympathized with it ; if one prospered, all rejoiced. Christians lived and prayed and laboured, not for their own local interests, but for the advancement of the common cause, and were, therefore, ready to communicate and willing to distribute, in order to relieve the necessities of the saints.

We are thus taught that it is no new thing for the Christians of one land to make an appeal to the Christians of other lands, and to receive their willing assistance in a season of pressing necessity. Such sympathy is as old as Christianity itself, and one of those blessed fruits which grow upon this tree of life. The apostle, therefore, under the guidance of inspiration, has recorded this exercise of charity for our example ; commended it to our imitation ; and made it a constant memento and guide in all periods of the church. What was true in principle of the church then, is true now ; and what was duty then, is duty now. Christ, having purchased redemption for mankind, has built his church upon

this common foundation. He has thus taught us, that as mankind are one family in Christ, so is his church the great representative of our ransomed race, and intrusted, for the general benefit of all, with the manifold blessings of salvation. And that church or people, therefore, that settles down upon the basis of a selfish or sectional charity, or monopolizes to itself the gifts and graces of the Spirit and the privileges of the church, is not a witness for the truth as it is in Jesus, but is a witness for schism, disunion, bigotry, and uncharitableness, which are all contrary to the will of God, to the prayer of Christ, to the spirit and requirements of the gospel, and to that one great atonement on which Christ founded his church and kingdom. Therefore, my beloved brethren, whom I now address, as ye would abound in every thing,—in faith and utterance and knowledge, and in all diligence, and in love to Christ—see that ye abound also in this grace of Christian liberality.

And most assuredly since the day in which the apostle commended to his Macedonian friends the claims of their brethren in Judea, a more worthy opportunity has not been afforded

for the exercise of this grace of liberality, than in the appeal now made to the Christians of America on behalf of the Free Protestant Church of Scotland, and which it is my privilege to bring before you.

You are all aware that in May last, a very large body of ministers and elders separated from the Established Church of Scotland,\* gave

\* It will be borne in mind, that Scotland and England, having been separate kingdoms at the time of the Reformation, a difference of circumstances in the two countries, led to a difference of views on the subject of religion, and at last to different establishments, so that when these kingdoms were united in 1707, they agreed that Episcopacy should continue to be the established religion in England, while Presbyterianism should be the only established religion in Scotland, and the Presbyterian Church enjoy in Scotland all the rights and privileges for which she had contended. A Presbyterian minister was planted in every parish. A house was assigned for this minister to live in; and then, to purchase books and furniture and fuel, and other necessities, a salary from a portion of the ancient tithes was superadded. The people of the parish were on these accounts entitled to the services of the minister, could claim their seat in the

up their churches, benefices, salaries, and preferments, and depending altogether upon the blessing of God, the assistance of the people who might adhere to them, and, in their present emergency, upon the liberality of Christians in other lands, have constituted themselves into the Free Protestant Church of Scotland. Up to July last, the number of ministers who have thus separated was as follows :

|                                                                  |       |
|------------------------------------------------------------------|-------|
| The number who signed the act of separation in May, . . . . .    | 386   |
| The number who signed the supplementary deed, . . . . .          | 25    |
| Additional adherents before the Assembly arose, . . . . .        | 48    |
| Additional adherents since the rising of the Assembly, . . . . . | 10    |
|                                                                  | <hr/> |
| Total number of ministers,                                       | 469   |

parish church, and enjoy, rich and poor alike, the ordinances of religion. Each parish also chose its own elders, and they, along with such of the landed proprietors as were members of the church, chose the minister.

A memorial was also presented to the Assembly of the Free Church from nearly two hundred probationers, that is, young ministers who had not yet been settled over any church, expressing their entire concurrence in those high and holy principles, in vindication of which their fathers had deemed it their solemn duty to renounce connexion with the established church of the land. It was further stated to the Assembly, that ninety-three of the theological students at the Edinburgh Hall, a majority of those at St. Andrew's, four-fifths of those in Glasgow, and a majority of those in Aberdeen, had declared themselves in favour of the Protestant Church, and that a similar spirit was manifesting itself in the lower classes of students at these several universities.\* Nor have these ministers and students gone out alone. They have been accompanied, if not rather preceded, by a proportionable number of the ruling elders, and by about one million of the people of Scotland.†

\* Proceedings of the General Assembly of the Free Church of Scotland. Edinburgh, 1843, p. 247 and p. 32, 33. To this work we are mainly indebted.

† An Irish minister, who has lately spent some

Nay, many, many even of the teachers of schools, and these among the ablest in Scotland, have devoted themselves to the same glorious cause, and are prepared to make the same sacrifices made by the clergy and the young candidates for ministerial office. It was on the eighteenth of May last this greatest of modern events took place, and the cheers that broke from the

weeks in Scotland, says, (we quote from the Banner of Ulster) :

Before concluding this article, and this part of my subject, I wish to say a very few words about the *Free Church people* generally. I intend only to make a few observations about the great body of the people,—the laity,—in connexion with the Free Church in this place. I may say, speaking of them as a body, that they are worthy of their ministers. They comprise all the true worth of the nation. There has been throughout Scotland a regular sifting and winnowing of the several congregations ; and from all I saw and heard during my six weeks' stay in Scotland, and from all that I knew of the people previously, having been in all the cities and in most of the large towns and counties of Scotland, I have no hesitation in saying that, with very few exceptions, *all the truly religious people of Scotland* are to be found in the Free Church.

I cannot conclude this letter better than by quoting



dense throng that crowded St. Andrew's Church, and from the vast multitudes that waited for their retiring brethren at the door of the Assembly, and who crowded every accessible place,—the streets, windows, staircases, house-tops, along their route to the Hall at Tanfield, Canon-

the words of Sir George Sinclair, who was a bitter enemy of the Non-intrusionists previous to the disruption, and is no great friend to them yet; but truth has extorted from him the following testimony to the character of the adherents of the Free Church. In speaking of his own parish, he says,—“I cannot contemplate, without some great heaviness and continual sorrow at heart, the deserted seat in which the gray-headed elders were wont to meet, and the *empty benches* so recently occupied by matrons and patriarchs, lowly (it may be) in station, but *pre-eminently adorning the Gospel, by the piety and consistency of their life and conversation*. The case will be, I believe, *precisely similar in almost every parish throughout the country*. ‘Arise, let us go hence,’ has been the all but universal exclamation, in regard to the Establishment, of thousands of her most devoted adherents, who, a few months ago, would not have counted their lives dear unto them, had they been called upon not to be bound merely, but to die, in defence of their rights and liberties.”

mills, which had been prepared for their reception, and the more than 3000 persons that awaited them in the Hall,—assured them that “as it was the nation’s battle they had fought, so the nation’s heart was with them.” The thousands that were seen for two days previous, pouring into the city of Edinburgh, where the Assembly was to meet; the enthusiasm of these uncounted multitudes; their shouts, their tears, their strong crying and prayers, their loud-bursting acclamations, by which they gave vent to the deep emotions of their souls; all proclaimed that an event was taking place of widespread and universal interest. Like an electric shock did the tidings of that day’s proceedings spread through the length and breadth of the land, enkindling a flame of devotion in every heart, that will long continue to burn. Never, perhaps, has an event so engrossed the universal mind and heart of Scotland. It has become a national question, the theme of universal discussion, the watchword of parties, the topic of family and social converse, and the high theme of sacred discourse. Nor has this interest been confined to Scotland. It has diffused

itself through England, Ireland, the Continent, Europe, America, and the whole civilized globe. It has been published in all languages, so that there is no speech where its voice is not heard. It has penetrated the walls of palaces; aroused the attention of potentates; stirred the hearts of legislators; alarmed the deathlike silence of inquisitorial conclaves; given faith even to infidels; and cast a mountain into the waters of human society, whose surging billows will never cease to roll, until the angel, having the last trump, shall plant his footsteps on the sea, and proclaim that time shall be no longer. The issues of this event shall spread to every land, and bless the nations of the earth.

Among these champions for the truth, who now constitute the Free Church, are found the master-minds of Scotland,—its science, literature, and theology.\* “A very slight acquaint-

\* Before dropping the ministers whose Christian principles are known by the sacrifices they have made, I need scarce say what almost every body knows, that among them are to be found the talent, the learning, the piety, and zeal, which have, for many years,

ance," it has been said, "with the progress of religion, of letters, of science, and of society itself in Scotland, for the last fifty years, must convince every one, that the first men of that nation, in every department of knowledge, of effort, and of excellence, have directed this movement. A list of nearly two hundred names, of which the first (after the moderator's) is Thomas Chalmers, and the last David Brewster, and the rest worthy of such an association, is a thing for a world, rather than a single city,—a century, rather than a single hour, to exhibit. Of that list of names, the larger part are known to Europe; very many, to civilized man; and not a few will live for ever. If any cause was ever ruined by human testimony, that upheld by the *moderate* party and the English government is undone. If any cause was ever sanctified by human approbation, the name of **THE FREE PRESBY-**

characterized and distinguished the Church of Scotland. But while they are the best scholars, the best speakers, the best preachers, the most zealous and devoted ministers, they are in private life the most accomplished and amiable men.—*The Banner of Ulster.*

TERIAN CHURCH OF SCOTLAND is already become immortal.”\*

Such is that event which has called us together. Such the character of that body whose claims to our sympathy and *temporary* relief, I now advocate. Like Israel of old, they have made their exodus from the land of Egypt, and from the hard task-masters who grievously oppressed them. They are now in the wilderness. Houses of worship are to be built for some seven or eight hundred congregations. As many ministers are to be supported. Colleges, theological seminaries, and libraries, are to be founded. All this is to be, in some good measure, effected at once. Hence, the demand made upon us. It is not for any permanent support. It is not for any thing like a re-establishment of the church. It is not to supersede the strenuous efforts of the people of Scotland themselves, cast off as they are by the rich, the noble, and the mighty of the land. No, it is to extend to them a helping hand in their present emergencies; it is to assist them in laying the foundation of their

\* Dr. Breckinridge's "Spirit of 19th Century," p. 425.

glorious superstructure ; it is to cheer them forward in their herculean effort of self-denying charity by some manifestation of our cordial and heart-felt approbation ; it is to extend to them some rills of charity, which, rising to heaven as an incense of pure offering to God, may be again distilled upon us in the copious showers of heaven's fertilizing grace.

Give me, therefore, your attention ; while I endeavour, in the first place, to explain to you the principles upon which the Free Church of Scotland is based, and for which it is contending, and the consequent necessity for its separation from the Establishment. The magnitude of these principles, their direct bearing on the mediatorial crown of our exalted Redeemer, and their intimate connexion with the purity of the gospel, the force of its truth, and the saving of lost souls ; this is what covers with such a halo of glory this wonderful event. These principles may be reduced to four,—*first*, the sole right of Christ to reign and legislate in his own house, the church of God, which he has purchased with his own blood ;—*secondly*, the supremacy of His word as the only rule of ecclesi-

astical affairs ;—*thirdly*, the exclusive jurisdiction of the officers of the church in the government of its spiritual concerns ;—and, *fourthly*, the rights and privileges of the Christian people, —their right to be regarded as members of the Christian commonwealth,—their right to participate in the administration of its affairs, through their delegates,—and their right to the choice of their own pastors, who should be over them in the Lord.

By the *first* principle, it is taught that the Lord Jesus Christ is the alone King and Head of his church ; that the church must have power from its divine Head to do all for which it is designed, and so far as government is necessary to accomplish this, an inherent power of self-regulation and direction ; that this power is inalienable, and cannot be surrendered, without dethroning Christ, and reducing his kingdom to a state of slavery under the tyrannic despotism of man ; and that within the sacred precincts of Christ's house and kingdom, no civil governor has any right to enter. In short, by this principle it is maintained, that the church is divine and not human in its origin ; spiritual and not worldly

in its objects, laws and penalties ; and that it has exclusive reference to the destinies of eternity in all its arrangements. It is, therefore, above reason, above human law, above human interference. It is "not of this world" in its supreme Head, in its immutable laws, in its unchangeable ordinances, and in its glorious issues. The church is independent of the state, and as far removed from its jurisdiction, as is the state from the jurisdiction of the church. Both are ordained by God : the one for man's present welfare, and to be administered by man's wisdom ; the other for man's everlasting happiness, and to be administered by the wisdom of God.

By the *second* principle, the eternal law and everlasting gospel of God are made the foundation of Christ's throne, as Head over all things to his church. The Scriptures form the written constitution of the church, her magna charta, her supreme arbiter and judge, and the only infallible rule of faith, order, and practice. To these alone is the church amenable in her spiritual, that is, her true character ; by these alone is she to be guided ; and to their voice alone can she render implicit and final subjection. Their will



is law ; their determination, duty ; and their requirement, whether to do or to bear, to act or to suffer, destiny. The supremacy of this law of God we are to maintain against all claimants ; its authority, against all power of man ; its obligation, against all the statutes of human legislation ; its perfection, against all the devices of earthly wisdom ; and its prerogatives, at every cost of suffering, imprisonment, poverty, torture and death. In the language of one of Scotland's poets,—her second Burns,\*—and in equal application to our own country, we would say,

“ I thank thee, Father ; who hast spread  
Before men's eyes this charter of the free,  
That all thy book might read,  
And justice love, and truth and liberty.  
Above all kingly power or kingly law,  
May Scotland reverence aye, the Bible of the Ila.”

By the *third* principle, we are required to contend, not only for the supremacy of Christ's crown and authority, and for the supremacy of

\* Robert Nicoll, who died in his 24th year in 1837. See his *Poems* : Second edition : Edinburgh : 1842. With a very interesting memoir.

Christ's laws, but also for the supremacy of Christ's appointed officers. All power being His, and he being ever living and present with his church, they only can exercise authority in his kingdom, to whom he has delegated official trusts. Just as surely as Christ is our legislator and judge, and his laws our only charter, can they be interpreted and administered only by his own appointed officers. Just as certainly as we are to uphold the supremacy of his crown and of his law, are we also to maintain the supremacy of his own elected agents. The privilege of Christian ministers and officers in the church is, therefore, to be maintained as tenaciously, as resolutely, and as dearly, as the privilege of magistrates and legislators in the state. And we are no more to allow the dictation or interference of the civil power in the affairs of the church, and in the discharge of ecclesiastical functions, than we are to tolerate a priestly domination over the affairs of the state. Each are to be upheld in their independent sovereignty, the state having absolute control over all persons in their civil relations, and the

church having absolute jurisdiction over all who voluntarily submit themselves to its discipline, in their spiritual relations.

By the *fourth* principle, the inalienable liberties of the Christian people, as Christ's spiritual freemen, are asserted and maintained against all spiritual despotism on the one hand, and all civil encroachments on the other. The standing of the Christian people, to the extent already described, is a truth of God, a gift of Christ, a part and parcel of the common law of Christianity. "It is found to be coeval with the introduction of the gospel into Britain; is wrought into the history of the Scottish nation and the texture of the Scottish church. It was a legacy from the apostolic Culdees, and which they bequeathed to us at the cost of many sufferings. It was a stronghold of our mighty reformers, which neither to sovereign or peer they ever would surrender, and it even formed a distinguished part of their protest against Antichrist." It was, in fact, with the godly of other days an article of faith, for which they contended earnestly; and that spiritual birth-right, for whose glorious freedom they stood fast even unto martyrdom.

Such, then, are the principles for which the Free Church of Scotland is now a witness. They evidently embrace whatever of dignity, privilege and glory, Christ has conferred upon his church. They are essential to her existence, perpetuity, and strength. To establish them, Christ, though God, was manifested in the flesh; —to bear witness to them, Christ suffered to the death, and sealed them with his blood.\* Having, by his satisfaction to divine justice for the sins of men, purchased for us this kingdom, and having ascended up on high, Christ gave these gifts unto his people, engaging to be with them in their support and defence, even unto the end of the world. These principles are laid down in the word of God, are as ancient as Christianity, and common to all churches formed upon the model given to us in the Bible. No church of Christ, therefore, has any liberty to alter, compromise, or amend them. They are fundamental laws. Without them the church is enslaved under the yoke of Erastian or priestly tyranny ;

\* John xviii. 38, 58, 27. Luke xxiii. 3. John xix 12, 13, 19.

—with them she is free to serve the Lord alone. The maintenance or prostration of these principles is not, therefore, a Scottish question, but one interesting to all Christians, “a question of eternal truth.”

Now, in order to carry out and fully to maintain these principles, it was unavoidably necessary for every true-hearted member of the Established Church of Scotland to come out from the midst of her and to be separate. This necessity was just as imperative as that which actuated their fathers in the days of Knox or in the days of Henderson. In the former period, that is, in her first reformation, the Church of Scotland contended for these principles against the infallibility of popes. In the second period, or as it is well defined, the second reformation, she contended for them against the infallibility of kings. And now, in this third reformation, the Church of Scotland is seen contending for these same principles, against the assumed infallibility of the judges of the land, aided and abetted by that body of Erastian moderatism within the church itself which has controlled its movements for a century past. This system of moderatism,

says Hetherington, the historian of the Scottish Church, had its origin in the combination which early took place between the indulged ministers and the prelatic incumbents who were introduced into the church by the comprehension scheme of King William. The perfidious act of 1712, re-imposing patronage, gave this party growth, and fostered it into strength. Early in its progress it showed itself favorable to unsoundness of doctrine and laxity of discipline, and strongly opposed to the rights and privileges of the Christian people. Heresy was more than tolerated; the doctrines of grace and evangelical truth were condemned, legal preaching was encouraged, and a cold and spiritless morality was substituted instead of the warm life of the gospel. Increasing in power it gave more open and vigorous exercise to its malignant nature, by violating the constitutional principles of the Presbyterian Church, perpetrating intrusive and violent settlements,\* repressing the remonstrance of faith-

\* Unscrupulous hirelings were in many cases forced upon an unwilling people at the point of the bayonet and by the aid of an armed force, when not a single individual or but very few persons could be found in a

ful ministers, driving them out of the church, protecting its own heterodox and immoral adherents, courting patrons and politicians, insulting and deeply grieving the religious part of the community, and causing them even more in sorrow than in anger, to abandon the beloved national church of their martyred fathers. Arrived at maturity, it boldly declared its principles to be entirely worldly, and its whole policy to be founded on the maxims of secular society, (directly contrary to the distinct declarations of the Lord Jesus Christ and his inspired apostles.) With difficulty was it restrained from abandoning the subscription of the confession of faith, (though even worldly policy could perceive the danger of a deed so glaringly unconstitutional.) Advancing towards the stage of rigidity which is symptomatic of decline, it prohibited the missionary enterprise, and thereby declared to the world that it had so little of a Christian spirit as not to feel itself bound to obey the Saviour's farewell injunction. Having refused to aid in propagating the gospel abroad, it next exerted parish who would attend their ministry. See Hetherington's or any other history of the Church of Scotland.

itself in checking the extension of Christian instruction at home, by the obstructions and difficulties with which it opposed the erection of new churches. And, by the act of 1799, it declared against Christian communion with other churches, however sound in their doctrine and faithful in their ministry.

Such did Moderatism prove itself to be, when it reached its full development as a system, worldly, despotic, unconstitutional, unpresbyterian, unchristian, and spiritually dead,—the utter negation of every thing free, pure, lofty, and hallowed,—if, indeed, it ought not rather to be said that its essence was antipathy to every thing holy, scriptural, and divine.\*

Now, against the despotism of this party within the church an unceasing, but ineffectual struggle has been made for more than a century. In 1834 the evangelical party gained an ascendancy in the councils of the church. It immediately passed an act protecting the people against the intrusion of ministers, called the veto act;†

\* Hetherington's History of the Church of Scotland

† Doubts were entertained by some at the time



entered upon the vigorous prosecution of schemes for the education of the people, for the extension of the church, for the conversion of the Jews, and for the propagation of Christianity in foreign lands;\* repealed the act which prohibited free communion with other churches, and opened its arms to receive as brethren, all

of the passage of this act whether it might not be held that it was beyond the powers of the church to pass such an act; but the opinions of the legal advisers of the crown, and of the lord advocate and solicitor general, removed these doubts, assuring the supporters of the veto act that it was perfectly competent for the church to pass an act so manifestly consistent with her legally recognized constitution. Lord Chancellor Brougham also gave it his decided approbation, as in every respect more desirable than any course that could have been taken. To charge the church with rashness, disregard of law, and innovation, is therefore to set matter of fact, truth, and reason at defiance. Such, also, was the view taken of it by the attorney general of England. Lord Moncrieff, who moved the adoption of this law, is also one of the Lords of Session.—See *Hetherington's History of the Church of Scotland*, p. 732. See Appendix I. No. 1, where this act will be found, with some further remarks.

\* All the foreign missionaries of the establishment

who love the Lord Jesus Christ in sincerity and truth.

An arrest, however, was soon laid upon these movements. The moderate party, foiled and beaten within the church, had recourse to the strong arm of power. The civil courts were called upon to interfere and to crush this spirit of liberty and of spiritual independence. Nor were they found unwilling. Step by step have they advanced in their career of legislation, until at length there is absolutely not one proceeding, however exclusively ecclesiastical in its character, in which the civil court is not asked to interpose. It has entered the province of the church, and interfered with the proceedings of all its courts, from that of a church session, up to the General Assembly. It has asserted a supremacy in spiritual matters, interdicting church censures, and preventing the execution of sentences of excommunication, suspension

have declared their adherence to the Free Church. It is stated that not a single missionary remains in connexion with the establishment. Distinct letters have been received from all the missionaries except those at Madras.

and deprivation. It has removed sentences of deposition, interfered with the majority of a presbytery in the exercise of purely ecclesiastical functions, and substituted the minority in their room. It has even forbidden numerous ministers and elders, in good and regular standing, to sit or rule in any of the ecclesiastical judicatories of the church. Nay, it has dared to interfere with and to interdict the preaching of the gospel and the administration of ordinances within certain bounds, in express contradiction to the authority and injunctions of the church. By these and other acts, enforced by civil coercion, fines, and imprisonment, every one of the principles we have illustrated were overthrown, and the church converted into a mere creature of the state, utterly despoiled of any spiritual character or rights. And when these proceedings on the part of the lower courts had been sustained by the higher courts, by the English judges, and by the parliament itself, and were thus made the acknowledged and necessary conditions upon which any man could remain in the Establishment or enjoy its benefits, the members of the evangelical party, who are now the Free Church,

felt constrained to protest against them and to depart. They could not, without committing what they believed to be sin, in opposition to God's law, in disregard to the honor and authority of Christ's crown, and in violation of their own solemn vows, comply with these conditions, and they could not therefore, in conscience, continue connected with, and retain the benefits of, the Establishment to which such conditions are attached.\* They could not have gone out sooner, because as guardians of the rights and liberties of the people it was their duty to remain, as long as they were permitted to do so without submitting to unlawful and unchristian imposition. And they were compelled to go out when they did, because they were then required to submit to the conditions aforesaid, which are contrary to, and subversive of, the settlement of church government effected at the revolution, and solemnly guaranteed to the church of Scotland by the Act of Security and Treaty of Union; which are also at variance with God's word; in opposition to the doctrines and fundamental principles of the Church of Scotland; inconsis-

\* See their protest.

ent with the freedom essential to the right constitution of any church of Christ; and incompatible with the government which He, as the head of his church, has therein appointed distinct from the civil magistrate.

Had these men remained, the very fact of their continuing to draw their salaries after the declarations and decisions made by the state, would have committed them as honest men, in a solemn promise to the state that they would no longer condemn or oppose its measures, and that they now acquiesced in the principles established by law. So that any protest entered into by the evangelical party while thus remaining, would have been base, hypocritical, and dishonest. They therefore acted as honest, upright, consistent, and Christian men should act. They have hoped all things and endured all things for a century past. But they have been at length driven to the wall, and required either to authenticate as true what they believed to be false, or to retire. The powers that be, had determined that the church should be subject to the control of the civil power, not only in things civil, but in things sacred also; that the officers of the

church should have no jurisdiction and its members no rights, but what the courts of law might be pleased to allow them; and that the abominable law of patronage should be rigorously enforced. How far the courts have carried this matter will be apparent from the single case of the united parishes of Marnoch and Strathbogie. Seven ministers who had been deposed from their office, and who were therefore no longer ministers in the church, proceeded under the sanction of the court on January 21st, 1841, to ordain over these parishes, a man named Edwards, (let his name go down to perpetual infamy!) who could procure in the whole parish no other signature to a call, than that of Peter Taylor the tavern-keeper. When asked by what authority they came there, these deposed ministers answered, that they were the presbytery of Strathbogie, and assembled in the name of the Lord Jesus Christ. All the parishioners having entered their protest against the tyrannous proceedings, Mr. Edwards then solemnly declared before high heaven that zeal for the honour of God, love to Jesus Christ, and a desire of saving souls, were the great motives which led him

to enter into the office of the sacred ministry.\* The dreadful vow was uttered. The horrid farce was enacted by the aid of policemen and excommunicated ministers, and Edwards departed from the place amidst the hisses of the people—"a minister without a parishioner—a man without a friend."

In March of the same year, the presbytery of Auchterardy, for not degrading themselves to the same guilty course, were fined in the amount of £16,000, to be divided between the court, the ministers, and Lord Kinnoull, the patron.

Now as the State *would* not, and the Free Church party *could* not, yield these points, they were under the necessity of peacefully withdrawing from all alliance with the state, or with the moderate party in the church, and to become what they now are, a voluntary church.

This leads me to state briefly the grounds upon which an appeal may be properly made to American Christians, on behalf of the Free Church of Scotland.

\* Such is the answer required from every candidate for ordination in the Church of Scotland.

And is there not, in the outset, something in the very name by which she is called, that should give a favorable hearing to her claims? **SHE IS THE FREE CHURCH OF SCOTLAND.** And is not the name a just representation of the principles for which she is contending? The independence of the church upon the state,—the voluntary support of the cause of Christianity, the spirituality of the church, of her courts, of her ministers, and of her officers,—and the rights, immunities, and privileges of the Christian people,—these are the watchwords by which she now feels her way to every heart animated by the spirit of freedom. This glorious liberty of the children of God, the state never gave, and can never take away. It is the inalienable birthright of Christ's free church. It was maintained by our Scottish forefathers in circumstances of controversy, and of cruel persecution, for a whole century. And when Andrew Gordon and Thomas Chalmers lifted on high the banner of covenanted truth, the people of Scotland again rallied round it. Voices came forth from every corner of the land to cheer them forward. Hearts and purses were



opened, and one million of people, besides the hundreds of thousands who had previously left the Establishment, to enjoy in freedom the blessings of her original constitution, have enrolled themselves in the ranks of **THE FREE CHURCH OF SCOTLAND**. The spirit of better times is again awake. The courage that resisted Laud and Lauderdale, James and Charles, again lives. Persecution, as has been said, has again mustered another covenanted and Puritan host. The spirit of young liberty is again enkindling the hearts of the people. "God and my right" is their watchword; and conscience, truth, and justice have triumphed. Independent of all extrinsic influence, superior to all political manœuvre, redeemed from all dependence on perfidious bills and wily statesmen, and delivered from all internal foes and domestic broils, God's people are free. And shall they make a vain appeal to us, from whom they have learned such lessons of freedom and independence, when they ask us, not to enter into their struggles which are past, not to encourage them in resistance to the state,\* with which they have now nothing to

\* It was the wish of the Free Church to obey the law of the land which led them to leave the Establish-

do as Christians, but to lend them a temporary assistance, until such time as they can gather strength and resources, sufficient to meet the demands that are constantly made upon them? It cannot be.

“The greatest glory of a free born people  
Is to defend that freedom when assailed,  
And to diffuse its blessings round the earth.”

But we are further called upon to render this assistance, by a sense of gratitude for blessings received from Scotland, and from the predecessors of these very individuals who now ask our aid, men who cherished their sentiments and maintained the same noble struggles. Who can compute the amount of obligation under which America lies to Scotland? To her we are indebted for the first example of a reformation,—that is, a religious revolution,—originated, carried on, and completed by the people, against the wishes and in opposition to the power of princes and nobles. To her we owe the noblest maintenance that has ever been exerted, because they could not submit to its terms, and because, when out of the Establishment, they may hope to be required to do nothing contrary to their consciences.

hibited, of those principles of religious and civil freedom upon which our republic is based. To her we owe a Knox, a Buchanan, an Andrew Melville, an Alexander Henderson, a Guthrie, a Rutherford, a Gillespie, an Argyle : men who had genius sufficient to fathom the depths of political science ; patriotism to scan the equal rights of the governed and the governor ; courage to proclaim to kings their duty, and to the people their rights ; fortitude to offer up themselves, their fame, their honor, their comfort, and their lives, upon the altar of liberty ; and faith to look forward in confidence to the day, when the spark of freedom they enkindled and preserved would burst forth into a universal flame.

“ For freedom’s battle once begun,  
Bequeathed by bleeding sire to son,  
Though baffled oft, is ever won.”

To Scotland we owe the successful issue of that eventful and long protracted struggle for liberty of conscience, liberty of opinion, and liberty of action, which resulted in the downfall of the Stuaris, the glorious commonwealth, the ever memorable revolution, and the acknowledg-

ment of our American independence. Had not Scotland united her army with the English forces, the long parliament would have been subdued, the champions of liberty executed as felons, as were their exhumated bones, the chains of despotic power again fastened in tenfold severity upon an enslaved kingdom, and the hopes of the world crushed.

To Scotland, we owe the system of parish schools, the universal education of the people, the relief of the poor without poor laws,—that incubus which is now sucking out the very life-blood of England—the establishment of universities under the guidance of religion, and fully commensurate to the wants of an enlightened people.

To Scotland we owe a large proportion of those ministers and people, who colonized this country, Christianized and enlightened it, diffused over it the spirit and principles of freedom, and fought the battles of our revolution. Many Scottish Presbyterians, says Bancroft, of virtue, education, and courage, blending a love of popular liberty with religious enthusiasm, came over in such numbers as to give to the rising com-

monwealth a character which a century and a half has not effaced. To the Scotch, says Dr. Ramsay, and their descendants, the inhabitants of Irish Ulster, South Carolina is indebted for much of its early literature: A great proportion of its physicians, clergymen, lawyers, and schoolmasters, were from North Britain. Now these, to a man, were found ranged under the banners of our young Republic, from the very beginning of her contest until its glorious consummation. Dr. Witherspoon, one of the predecessors and leaders of these very men who now constitute the Free Church of Scotland, who advocated their views with indomitable courage against the overwhelming forces of the then triumphant moderate party, and who came to this country, animated by their principles of liberty, was, you are well aware, a member of that very body which gave birth to the Declaration of Independence, and one of its first signers. When that Congress still hesitated to cross the Rubicon, and abandon all hope of retreat, "There is," said Witherspoon, "a tide in the affairs of men,—a nick of time. We perceive it now before us. To hesitate is to consent to our

own slavery. That noble instrument upon your table, which insures immortality to its author, should be subscribed this very morning, by every pen in the house. He that will not respond to its accents, and strain every nerve to carry into effect its provisions, is unworthy the name of a freeman. For my own part, of property I have some—of reputation, more. That reputation is staked, that property is pledged on the issue of this contest. And although these gray hairs must soon descend into the sepulchre, I would infinitely rather they should descend thither by the hands of the public executioner, than desert at this crisis, the sacred cause of my country." Such was the appeal which decided the action of that Congress, and the fate of this American Republic.

Nor is this all. To Scottish benevolence we are indebted for many acts of liberality towards our country in its infant state. The college at Princeton, in a great degree, owes its present flourishing condition to the pious and liberal charity of the friends of religion and learning in England and Scotland. In the year 1754 the General Assembly of the Church of

Scotland, recommended that a general collection be made at the doors of all the churches of Scotland for the support of this college. At the same time we find them lending their liberal aid to a Society for assisting Protestant emigrants in Pennsylvania.\*

We are still further called upon to extend our liberal aid to the Free Church of Scotland in the present emergency, on the ground of the numerous and incalculable benefits which must result from this movement.

It will diffuse the gospel through the waste places of Scotland. From the inquiries made by a royal commission in 1831, it appeared that there were at least 500,000 souls in Scotland totally destitute of the means of obtaining re-

\* See the Memoir of the Rev. Samuel Davies, prefixed to his Sermons, who was one of the deputation sent over for this purpose. The Assembly, besides the above recommendation, further recommended to ministers to apply to the nobility and gentry, as they may have opportunity, to give their charitable assistance in this matter. See Annals of the General Assembly of the Church of Scotland from 1752 to 1767, Edinburgh, 1840, page 51, and Maclaurin's Life, prefixed to his works.

ligious instruction. It appears further that during the whole century previous to that time, there had been only sixty-three new churches erected by means of the Establishment, notwithstanding the immense increase of the population. Vast numbers therefore were left either to sink into practical heathenism and immorality, or to become attached to some other denomination. This glorious consummation—the supply of these destitutions—will now be achieved. The formation of the Free Church is the dawning of the bright day of gospel light on 500,000 people hitherto in darkness. The etiquette and legal restraints of parishes will be no longer observed. The church is now free to permeate the length and breadth of the land, and proclaim to all the gospel of Christ. Not only will the desolations of the sanctuary be repaired, the long neglected wastes of Scotland, both in town and country will be replenished. The light of the gospel will be carried to every cottage door within the limits of the Scottish territory. The liberal and large-hearted aspirations of John Knox when he desired a college for every large town and a minister for every thousand of the people, will



be realized. The ungovernable masses now threatening the very existence of society, "will be humanized into contentment, loyalty, and peace," and a land thoroughly Christianized "will wreath around the Church of Scotland still brighter honors than those which have heretofore encircled her brow."

And will not the history of this event carry with it to the ends of the earth, and to all future times, the glorious principles for which the Free Church of Scotland has so nobly contended? These principles have hitherto been written upon paper, and recorded in confessions and protests,—they will now be imprinted on the hearts of men, and become familiar and acknowledged truths, the test and character of a true church of Jesus Christ.

How powerfully also does this movement demonstrate the reality, the power, the superhuman might of Christian principle. The lie has now been given to the calumnies of an unbelieving world, that Christians will part with nothing for the truth, and that they will take good care to preserve their money and their pockets, let conscience protest as it may. From all such charges

Christianity is now redeemed. A testimony has now been borne to the high-minded integrity, conscientiousness, and divine faith of Christians, which no promises, flattery, artifices, or fear of man can corrupt, which will preach louder than any sermons in behalf of the truth, purity, and divinity of our holy religion. Not Scotland, therefore, but Christendom, nay the whole world, is debtor to those heroic Christian men who have erected in the Free Church of Scotland, a beacon light which shall illumine with its brightness all the ends of the earth, and set an example of Christian devotion, magnanimity, and sacrifice, that shall live in imperishable fame.

Finally, the appeal to our liberal assistance of the Free Church of Scotland, is impressively enforced by a consideration of the disinterested sacrifices and unparalleled efforts they have themselves made. Many who even concur with them in their principles, are of opinion that they might have continued in the Establishment. By retiring, however, from it, they have given up in salaries and other income, about half a million of dollars per annum. They had also for the last seven years been engaged in the hercu-

lean effort of raising for the building of churches about one million and a half of dollars, besides some \$40,000 per annum for their education, home mission, and foreign missionary schemes. They have not however now rested from their labors, nor do they ask us to do their work. They have strained every nerve to meet their own wants. Though generally poor, and unaided by the rich and the noble, they have already subscribed about a million of dollars. Personal sacrifices of the most trying character have also been made by very many. Ministers have left homes where they dwelt in love and peace for a whole generation, and been under the necessity of occupying in solitude some prophet's chamber, while their families could find a refuge only at the distance of sixty or seventy miles. Mr. Swanson, of Small Isles, being prohibited from occupying a spot of ground on which to build a temple for the worship of God, or a house to shelter him and his family from the rude elements, is obliged to betake himself to a floating manse, a true mariner's church, where he can receive the people at different points, and preach to them the free and full salvation of the

gospel. "I know a case," says Mr. Guthrie, "that made my blood boil as an honest man and a freeman. There is a parish in Scotland, where there is a minister who has a sister, a brother, and a venerable mother under his roof. That mother was a minister's daughter—that mother was a minister's sister—that mother was a minister's wife—and now she is a minister's widow. And, sir, shame to the land that has such landed proprietors in it, that man of God must carry away his venerable mother, with the gray hairs of age upon her head,—who never knew a home on earth but a manse,—he must drive her away, because even a highland cottage cannot be got to lay her head in." Such are the scenes now passing in Scotland. Many ministers have left three-storied houses, and lodged, with their families, in obscure apartments. Many have gone forth, they know not whither, resigning and giving up all those places, "to which they are attached by so many fond and intense local affections,—their garden walks where they enjoyed the hours of their relaxation, and the peaceful study where the man of God and the man of learning enjoyed many a raptur-

ed hour in converse with their books." The amount of maddening provocation to which the people of some of our highland districts have been subjected, says the Edinburgh Witness, almost exceeds belief. We attended, about two months ago, the public services of a sacramental Sabbath in Lochiel's country. The congregation consisted of from three to four thousand persons, and never have we seen finer specimens of our highland population. We needed no one to tell us that the men at our side, —tall, muscular, and manly, from the glens of Lochaber and the shores of Lochiel,—were the descendants, the very fac-similes, of the warriors whose battle-cry was heard farthest amid the broken ranks at Preston, and who did all an almost supernatural valour could do to reverse the destinies of Culloden. And yet, here were they assembled in the open air, as if by stealth, —the whole population of a whole district,—after having been chased by the interdicts of the proprietor from one spot of ground to another, and now sure only of the spot on which they stood, until such time as a new interdict should be drawn out. They had gone first to the

parish burying-ground. It was the resting-place of their brave ancestors. Our family had been accustomed to say, "This little spot is ours;" and they reasoned rationally enough, that as the entire area belonged to them in its parts, it might be held to belong to them as a whole also, and that they might meet in it, therefore, to worship their God over the ashes of their fathers. Alas! their simple logic was met by a stringent interdict; and, quietly giving up the churchyard, they retired to a neighboring eminence, surmounted by a monument to the memory of that Colonel Cameron of Fassiefern who, at Waterloo,

"Foremost in the shock of steel,  
Died like the offspring of Lochiel."

Not a few of them had fought by his side. But here there was no resting-place for them. The tenant who held the spot as part of a small farm was one of themselves, and they knew that *he* made them welcome; but highland leases are often doubtful things. They had learned that the proprietor had been written to on the subject, to the poor man's disadvantage; and, fearing lest he should be injured on their account, and with a delicacy peculiar to highlanders, they

quitted the spot *en masse*, and took up their next station on the sea-shore. As we stood and listened, the rippling dash of the waves mingled with the voice of the preacher. But there was yet another interdict in store for them. The deal tables on which the sacrament used to be administered in the parish were the property of the Establishment; and so, leaving them, as they ought, to the state institution, they prepared, as they best could, a few rude forms for themselves. Well, and what then? *On the most miserable plea that these forms had been made of wood that had once grown on the glebe, a stringent interdict arrested their use.*

The following striking facts, stated by Mr. Dunlop, the legal adviser of the Free Church, in the course of an admirable and touching address made by him at the laying of the foundation stone of the Free Church at Dailly, Scotland, will be also interesting. "There is the Isle of Skye, for instance, where the proprietor, M'Leod of M'Leod, not only refused a site for a church, but interdicted the people from meeting under the canopy of heaven, though his own tenants, on the very moors they rent from him, or even

on the road-sides, or bye-ways,—holding that he is the lord of the soil, and therefore entitled to prevent God's creatures from enjoying that soil for any purpose which he does not approve. He will let it out for culture, and give houses in which to eat and drink and sleep, but not a spot on which to build a house of God. Meet for that purpose anywhere on his lands, and you are a trespasser. 'I won't force your consciences, but you shan't pray on my grounds: if you are to pray at all, I will drive you to the sea-shore.' I had a letter the other day from a parish in Sutherland, in which the people asked me, as legal adviser of the church, some questions. The sole heritor of the parish is against them; and they asked me what he is entitled to in law. They said, 'There is a common in the parish on which we are entitled to pasture our cattle, and to walk over when we please; may we meet there and put up a tent for worship?' I was obliged to answer, 'The court won't allow it.' They asked then, 'May we go to the churchyard? The heritor says, no. But it is occupied by the bones of our fathers. No heritors lie there. We have all gone out. May



we not take refuge over our fathers' graves?' I was compelled to answer, 'The heritor is right. You have not the law upon your side.' The next question they put I was able to answer to their satisfaction. They asked, 'Whether they could not meet *within high-water mark*?' And there, in the winter, in the storms now approaching, they are to meet—safer beside the stormy ocean than beside their great laird. The ocean, indeed, covers the spot at times, but there is a little respite: when the tide is out they may put up a tent, and there meet for the worship of their God. They put another question, which I was obliged to answer against them too. They had saved a ship from wreck many years ago, and the captain, in his gratitude, had presented them with the ship's bell. In the pride of their hearts they stuck it up on the end of the church; the heritors had provided none,—and for sixty years they had assembled for worship at the sound of that bell. They asked me, if they might not take it with them? Their fathers had put it up as a testimony to their bravery, and it was their own. But, no! the bell had been where it was for more than forty

years; and they must hear the loved sound,—like the voice of a friend,—but pass it and go to worship on the sea-shore at the sound of the waves.”

The bitterness with which this persecution of the adherents of the Free Church of Scotland has been carried on, has been enough to madden the people into open rebellion. The landowners, the lairds of Scotland, who are imbued with the spirit of moderatism, seem to forget that property has its duties as well as its rights, and that when the former are neglected, the latter are forfeited. Thus we read, that, when ground was asked, not as a gift, but as a purchase, to build a place of worship for the Rev. Mr. Sage, of Resolis, the applicants were told that “as much ground would be given as would bury him, but no more.” The spirit which dictated such an answer as this, can be neither just, liberal, or Christian, and is, of itself, a condemnation of the cause which needs such support.

Such then are the men whom, as American Christians, we are called on to assist.

“For them their lot is what they sought; to be,  
In life or death, the faithful and the free.”

To build six hundred churches for the congregations demanding their immediate occupancy;\* to erect parsonages for their ministers, according to the good old custom of our fathers; to found a college and theological seminary, with a sufficient apparatus and library; to lend immediate assistance to unprovided ministers; to help them in this great work, is what we are now called upon, as Christian brethren, to do.

This appeal comes home to the bosom of every Scotchman and the descendants of Scotchmen,—who may all glory in alliance with these

\* The letter of the London Committee states, that seven hundred and eighty congregations had adhered to the Free Church. Many of these, however, may be very small, and not, at present, able to constitute full and ripe churches. Dr. Chalmers, however, in a recent letter to a minister in Belfast, Ireland, says, “The cause of our Free Church has grown upon our hands beyond all calculation. Besides the congregations of our out-going ministers, four hundred and seven in number, others are starting up on all sides in moderate parishes, and all alike are imploring for the means of sheltering themselves before the approach of winter. There cannot be fewer than six hundred churches requiring at the present moment to be erected in Scotland.

nobles of the earth. It is not less powerful, when addressed to every emigrant from northern Ireland or to their descendants. Ulster was colonized by Scottish Presbyterians. To them, she owes her religion, education, morals, elevation, and proud superiority over every portion of that country. Yes, the blood of Scotchmen rolls in our veins, and with exulting pride, we too can look to these heroic martyrs and say, "Ye are our brethren and kinsmen according to the flesh." Five hundred ministers in Ireland, and one million of people, with all their hearts, go along with them in their struggle, and have already given fifty thousand dollars to their cause.

This appeal addresses us, as Americans. To us, as the friends of liberty and human rights, and the noble champions of civil and religious freedom, does the Free Church of Scotland look for sympathy, encouragement, and aid in this noble effort to better our example.

This appeal addresses Christians, of all Protestant denominations. The testimony of the Free Church of Scotland, is not only a Presbyterian, but a Protestant testimony. The Refor-

mation was a recovery of the truth, and freedom, and privileges of the gospel. That truth, and freedom, and privilege, are now at stake in Scotland, and for their maintenance, does the Free Church stand forth prepared to suffer and to bleed. The question is, therefore, "a question of Protestantism,—a question of the right of private judgment, the right of each Christian man to be dependent on Christ alone, and therefore independent of all authority, civil or ecclesiastical, in the discharge of his duty to Christ."\* The Free Church of Scotland has, therefore, held out to the Protestant world the flag of unity,—the unity, not of slavish uniformity in rites or forms, but unity in the maintenance of common truths, in a determined protest against common errors, and that unity of the Spirit which is the true bond of peace. CO-OPERATION, THOUGH NOT INCORPORATION, is the motto which now streams in her flying banner, and which is destined to rally around the standard of the cross every true friend of Protestant and evangelical truth. Already has the Free Church of Scotland received on her platform, delegates from every evangelical

\* Proceedings of General Assembly, p. 3.

denomination, and from America as well as Europe. Already has she found Congregationalists, Baptists, Methodists, Episcopalians, Reformed Dutch, and Seceders, ready, not only to approve her principles, but to lend to her the helping hand of their Christian charity. Let us, also, come to her assistance, join hands with this sacred, Christian brotherhood, and by our united and liberal contribution, give certain proof of our deep and heartfelt interest in her cause,—the cause of Protestantism, the cause of Christian freedom, and of Christian truth. Let our voice be heard across the broad Atlantic, saying,

“ On, brethren, on !

Speed your swift bark o’er the foaming seas,  
 Spread forth your sails to the whistling breeze.  
 Hoist the blue colors of Freedom high,  
 Fling out their folds to the sunlit sky,  
 Strain all your cordage,—and onward sweep,  
 Hopeful and true o’er the bounding deep.

On, brethren, on !

On with your message of holy love.—”

And may He who has led them thus far, uphold and strengthen them, and make them, more than conquerors through our Lord Jesus Christ. Amen, and Amen.

## APPENDIX I.

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THE author thinks it advisable to add here, an article which he has inserted in some recent religious papers.

### THE FREE CHURCH OF SCOTLAND, AND THE QUESTION OF ESTABLISHMENTS.

*Shall we help her ?*

I was very sorry to see in the New-York Observer an article expressing a doubt whether American Christians could consistently aid the Free Church of Scotland, because she is committed to the doctrine of an established church. But even supposing that she is, this certainly is not the doctrine for which she is now bearing her testimony, in persecution and distress. She is now in the wilderness, without house, or shelter, or food, or raiment, and surrounded by wild beasts and venomous reptiles, who go about seeking to destroy her. And why is she there? Because she is bearing witness to these fundamental truths,—that Christ alone is the head, king, and legislator of his church;—that his word is the supreme law and standard of faith and practice to that church;—that the spiritual officers appointed by Him are alone entitled to have rule within the church, or to interfere in

the management of spiritual affairs;—and that to the Christian people belongs the right of choosing their own ministers and officers. Such are the principles for which the Free Church has contended,—for which she has retired from the Establishment,—for which she has relinquished property to the amount of about five hundred thousand dollars per annum,—and for which she is now lifting up a standard and giving her testimony to the world. And do we not,—all American Christians,—concur with her in these essential doctrines? As far at least as we do thus concur, can we not, and shall we not, express our sympathy for her, and proclaim our hearty approbation of her conduct?

The Free Church does, it is true, still cling to the *abstract* doctrine of establishments: that is, as she herself expounds it, “that it is the duty of both governments and communities to be Christians, to act as Christians, and to make it their chief object to promote Christ’s kingdom and glory.”\* But while she maintains the *principle*, she utterly denies the *possibility* of living under any *existing* establishment, or of entering into any alliance with any state which would in any degree compromise any one of these sacred principles. Nay more, she is now in fact, in practice, and avowedly, a voluntary church, and as bitterly opposed to the Established Church of Scotland, and to the *establishment on which that church rests*, as are American Christians. Let

\* See Hetherington’s History of the Church of Scotland, p. 775.



me give some proof of this fact out of much before me. It is from the very man whose opening speech at the first meeting of the Free General Assembly has given occasion to this apprehension in the minds of many. I mean Dr. Chalmers. I quote from his address, delivered July 13th, in Edinburgh, on occasion of the Bi-Centenary of the Westminster Assembly, as reported in "the Witness."

"Before I have done," said Dr. Chalmers, "I am desirous of bringing above boards what I think will operate as a bar in the way of a cordial and good understanding, so long as it remains the object of a sensitive and fearful *retricine*. I do not sympathize with the exceeding care and caution of those people who look so prudent and so wary, and tell us that nothing must be said about Voluntaryism. I confess, on the other hand, my anxiety to say something about it, and that because of the conviction under which I labor, that while suffered to abide within the cell of one's own thoughts, where, from the very irksomeness of its confinement, it might rankle in the form of an unexplained grudge, it will operate most injuriously as a preventive to that full union between soul and soul, so indispensable to the comfort and the efficacy of co-operation between those who have now met together, and that with the avowed purpose of seeing eye to eye. Why, on the contrary, I would have it proclaimed openly and without reserve, that there is a difference of opinion upon this question; and this, not with the design

of creating a breach, or casting up a barrier between the parties, but with the very opposite design, of pointing out the egregious folly, if I may so term it, of suffering any such difference to stand in the way of their mutual helpfulness and encouragement, in every practicable walk of well-doing, for the good of our common Christianity. I am desirous of tabling the subject in the sight and hearing of all, that it may both be recognized as the topic of a real and honest difference, and, at the same time, be utterly disarmed and scotched as a topic of mischievous dissension. For how does the matter stand? Here are two parties, each honestly bent on the adoption of such measures as might best conduce to the moral and religious well-being of their fellow-men; but the one happening to think that the state should lend itself to the same object, by the method of an endowment, and the other happening to think the opposite to this. I ask, in the name of common sense, if two parties are to suspend their duty, common to both, and if that duty be co-operation for a great and general good, on which the hearts of each are alike set, are they to suspend this, because they choose to differ in opinion respecting the duty of a third party that has no connexion with either of them? We stand as hopelessly dis severed from the party in question, and have as little hope of being restored to a connexion with them, as if there had sprung up betwixt us an immovable wall of brass, a thousand cubits high. We, on the one hand, can enter into no terms with a govern-

ment, who, because they endow a church, think they have a claim to govern it ; and they, on the other hand, keep as resolute a hold of this Erastian imagination, as if they would never let it go, till the kingdoms of this world become the kingdoms of our Lord and Saviour Jesus Christ. So that the question now resolves into this, Will there, or will there not, be religious establishments in the days of the millennium ? To me, at least, it seems the clear path both of wisdom and duty, just to leave that question for the millennium itself to settle, when the millennium comes ; and, meanwhile, do all we can to spread onward these millennial days, when the din of controversy shall be no longer heard, and the charity of the gospel shall have shed its dewy influences over the whole earth, now turned into a happy, and a harmonized, and withal, universal Christendom. I confess, at the same time, a keener scientific interest in this question than ever, now that Voluntaryism, brought to the test of experience, is fully put upon its trial. I for one will make it my strenuous endeavor to do it all justice, by drawing on its resources and capabilities to the uttermost. The most direct way surely of giving it a fair trial is just to try how much it will yield, after that a full and fair appliance has been brought to bear upon it. It is but justice to add, that we are now in the very thick of the experiment. Some years ago, we tried what government would do in the way of an endowment for the religious instruction of the people, and, after a fruitless negotiation, got

nothing for our pains. We have now made our appeal to the Christian public, and in as few months as we spent of years with the government, we have obtained at the hands of the people the promise of towards three hundred thousand pounds. However it may turn out, the result will be a most instructive one. Should it so happen that after Voluntaryism has made its utmost efforts, it shall fall short of a full provision for the Christian instruction of the people, so as to leave thousands and thousands more unreached and unreclaimed, and should an enlightened government, for the sake of these, hold forth an endowment, which shall leave us unfettered as their *Regium Donum* leaves the Presbyterians of Ireland, I am not prepared to say that it would be wrong, either in the one party to make such an offer, or in the other party to accept of it. But, as I have already stated, there is no hope whatever of any such overture being made, or of there ever being any practical call for the entertainment of such a question. Meanwhile, let us endeavor so to speed on the achievements of voluntaryism, as to anticipate and supersede the necessity of this question; and they who, intent on great designs, keep by great principles, will at length make full acquittal of theirs as being the only true consistency,—let hostile or unintelligent observers make what use they may of their party distinctions and party names.”

I will here add two other extracts illustrative of this point and of the spirit and character of

the Free Church. "We do fear now," says the *Presbyterian Review of Edinburgh*, for July, 1843, "and our fear is grounded on the experience of our church for three centuries, that in the treatment of a church by ungodly statesmen, one of two things will ever be aimed at: either they will take care that it is viciously constituted, or that it is viciously administered. They do not ask for both alternatives, nor have they, in all likelihood, a preference of the one to the other. But give them, you must, either a corrupt system, or corrupt management. We cannot, therefore, be surprised, should it now be felt that the union of church and state, upon an evangelical platform, is, in the present condition of civil government, very hopeless, and that establishments having done the work they were fitted for, must be laid aside to prepare the way for the theocracy of the great King, when he shall 'take to himself his great power and reign.' At all events, the present administration have done what they can to advance the cause of voluntarism."

We call particular attention, also, to the following beautiful and striking declaration of sentiments delivered in the Assembly of the Free Church, by the Rev. Mr. Guthrie:\*

"I rejoice on all these accounts; and here I may be allowed the opportunity of stating what my views are with regard to the part which the evangelical Dissenters of this country have acted in this matter. No man mingled more in

\* *Proceedings of the General Assembly*, pp. 98, 99.

the voluntary controversy than I did. I have stood on the post and the pillory for five hours, and never was allowed to open my mouth ; therefore I should be entitled to speak now on this subject. I will lift up my voice in this Free Assembly, as a free man, entitled to bear a free testimony to Christian men ! and I must say, that in my wandering expeditions through the country during the last twelve months, I have received the most kind, and cordial, and Christian support from evangelical dissenters of every denomination. I have always felt confident it would be so. There were men who said, ‘ they opposed you before, and they will oppose you again.’ Now, I had the most perfect confidence in them that, when we stood on the ground of our common Christianity, they would stand by us. It will be with them as it was with Moses, who, when he saw a Hebrew and an Egyptian contending together, smote the Egyptian, and buried him in the sand. When my brethren saw me battling for an Establishment, I could not expect their support ; *that* would not have been honest ; but when they saw me battling for Christ’s crown and covenant,—when they saw me smitten by the civil courts,—when they saw an Egyptian smiting a Hebrew, they came in to support me. I take this opportunity of saying, that I never did rejoice in any thing more than in the explanation which Dr. Chalmers gave of the misreport of his first speech in the Assembly. When I heard of these reports, it deeply distressed me. I was spoken to on the subject by two

worthy dissenters in Edinburgh, men who have been praying for our church, and who are willing to pay for it too; and they told me it had given them the profoundest distress. I assured them there must be some mistake; and therefore I never sat in any Assembly with more delight than I did when Dr. Chalmers gave an explanation,—an explanation that, out and out, corresponds with the sentiments of my own mind. I am for a union in the meantime, in the way of co-operation. What am I to do with the Cowgate and the Grassmarket, and the other destitute districts in my parish? I cannot open a church for them, as I did when I was an established minister; but, God helping me, I will not leave them to the man they put into St. John's. I cannot carry on the work myself; and I will rejoice with all my heart, if the evangelical dissenters of every denomination in Edinburgh would come and sit down at a board with us in friendly conference. I would propose to Dr. Brown,—you take that portion of the work, and to Mr. Alexander, you take that, and I will take this; let us divide the labour, and go forth to the heathen lands of Edinburgh, just as we go to the heathen lands of Africa. We cannot stop here, and I defy any man to stop there, who has heard our Clerk this evening read that touching and affecting prayer of Jesus for his disciples. What is first and foremost in that prayer? What is mentioned once, twice, four, and five times,—what is repeated over and over again in that prayer of our Re-

deemer, 'That they may be all one, as I and my Father are one!' I will never rest contented,—I will never cease to pray and work till that end is achieved,—and as I do so, I will bury in oblivion the memory of former controversies. Yes, sir, O that the day were come that I might meet with my brethren over the grave of all former controversies,—that we might shake hands and join hearts, and be one in Christ Jesus,—one regiment, bearing the same colours, and going forth like an army mighty for battle against one common and tremendous foe! This is my wish; it may not be realized immediately, but the sooner the time comes, the better for the cause of Christ. I rejoice that the controversy is ended. I rejoice because I feel I may have sinned in it. I am not ashamed to confess that, in the voluntary controversy, while my opponents said things of me and my party they should not have said, I have said things of them and their party I should not have said. And when the heat and dust of this battle is by, I have no doubt I will be as free to confess, that while our opponents in the old house have said and done things to me they should not have done, I will confess that I have said things of them I should not have said. I will not give up one iota of my principles. I am ready not only to give up my stipend,—I have done that already,—but I am ready, as our fathers did, to give up my life, if necessary, in defence of these. I have said I am glad to get quit of controversy. I wish to devote my days



to preaching, and to the pastoral superintendence of my people ; and the happiest day I experienced for years was when I left St. Andrew's Church."

I hope, therefore, and trust, that Christians of all denominations will be found as ready in this country as in England and Ireland, to come forward to the liberal assistance of their suffering brethren of the Free Church of Scotland. And what is done, let it be done quickly.

As a friend to the Free Church, I feel compelled to make these remarks, and would request their insertion in the New-York Observer, that the explanation may follow the difficulty.

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## APPENDIX II.

### DOCUMENTS.

The following documents, extracted from authentic sources, will give full and accurate information on every point concerned, to all who may desire it. They are in themselves extremely valuable, and among the ablest productions of the kind ever penned.

#### No. 1.

#### THE VETO ACT,

*Adopted by the General Assembly in 1834, by a vote of 148 to 138.*

Lord Moncreiff then moved, that the General Assembly, having maturely considered the over-

tures, do declare that it is a fundamental law of this church, that no pastor shall be intruded on any congregation contrary to the will of the people: and that, in order to carry this principle into full effect, the presbyteries of the church shall be instructed, that if at the moderating in a call to a vacant pastoral charge, the major part of the male heads of families, members of the vacant congregation, and in full communion with the church, shall disapprove of the person in whose favour the call is proposed to be moderated in, such disapproval shall be deemed sufficient ground for the presbytery rejecting such person, and that he shall be rejected accordingly; and due notice thereof forthwith given to all concerned; but that, if the major part of the said heads of families shall not disapprove of such person to be their pastor, the presbytery shall proceed with the settlement, according to the rules of the church; and farther declare, that no person shall be held to be entitled to disapprove, as aforesaid, who shall refuse, if required solemnly to declare, in presence of the presbytery, that he is actuated by no factious or malicious motive, but solely by a conscientious regard to the spiritual interests of himself or congregation; and resolve that a committee be appointed to report to an interim diet of the Assembly in what manner, and by what particular measures, this declaration and instruction may be best carried into full operation.

In reference to this act, and its being the sup-

posed ground upon which the state has persecuted the church, Dr. Candlish remarked in the commission in January, 1843 :—

“ But there is one point to which I am anxious to advert, because I think it the duty of this commission to put forth an explicit statement with respect to it—because, unhappily, I fear, it has made some impression, not only on the adversaries of the church, but on some of her friends also. I refer to the passage in Sir James Graham’s Letter, where he says, ‘The Veto Act was upheld, after its illegality had been ascertained by deliberate judgments of the Court of Session and of the House of Lords; nay more, it is not yet abandoned,—it is upheld in defiance of law and of the supreme civil authority.’ And he goes on to trace to this cause the church’s difficulties and embarrassments. I shall not refer to the Second Book of Discipline, as if the Veto Law, which refers to the admission of ministers, were a handling of matters pertaining to the civil jurisdiction. It is not such a handling as even Sir James Graham could say was condemned. On the contrary, the church long ago has admitted, that her act in rejecting a presentee cannot carry civil consequences. The church renounced and abandoned all expectations of having the fruits of the benefice awarded in accordance with her law of non-intrusion. But though the church does not presume formally to determine the question, it is said she does something which indirectly has reference to the question. Why,

Sir J. Graham brings us to this point, that the church cannot settle any question which may by possibility affect a civil matter. We cannot say we have been handling a civil matter; and if the Second Book of Discipline forbids the church determining on spiritual matters which may have civil consequences, because the civil consequences are some way or other connected with the spiritual matter, clearly he leaves us nothing spiritual to handle; for there is no spiritual sentence which may not have civil effects. In another part of the Letter,—and this is the snare into which I fear some friends of the church have fallen,—he says, ‘If the Veto Act, which is illegal, were rescinded by the Assembly, the respective rights of the patrons to present, of the congregations to object, and of the church courts to examine, to hear, to judge, and to admit or reject, would be clear and well defined.’ And then he goes on to say, Lord Aberdeen’s bill was founded on the same principle. Now, mark the principle on which Lord Aberdeen’s bill proceeded;—it was by ‘declaring the law’ that he proposed to settle the question. The construction of this part of the Letter is such as I conceive might impose on those who have come into the controversy at the last. I can easily conceive any one taking up the Letter of Sir James Graham, in ignorance or forgetfulness of all the previous history of the controversy, might think Sir James Graham’s offer an exceedingly fair and handsome one. For what does he say? Oh, remove this Veto Law, and we

will give you something excellent and admirable in its place. Now, it is singular enough that the two instances of attempted legislation, namely, Lord Aberdeen's, and that of last year, took place while the Veto Law was standing; and Lord Aberdeen never dreamed of saying that as a preliminary to all legislation the Veto Act must be repealed. He introduced his bill to declare the law; but by no means did he hold the mere existence of the Veto Law as an obstacle in his way. Neither did those who last year endeavoured to effect a settlement. They held they might put confidence enough in the church to believe that she would act upon her own reiterated declarations, that if she could get any form of non-intrusion to which she could submit, she would remove the Veto Law. And to stipulate beforehand for the abandonment of that law, was just the work of one who wished the church first to be placed helplessly at his disposal, and then to be thankful for whatever tender mercies he might show. It is not the fact that the Veto Act was the obstruction in the way of those two measures which were formerly contemplated; it is manifest, that the obstruction is not the keeping up of the Veto Law, but the keeping up of the principle of non-intrusion. If it was no obstacle to that legislation which Sir James Graham would take for his model, it cannot be the Veto Law alone which prevents a measure,—it must be the principle which the Veto Law embodies. And, accordingly, observe the boon which Sir James Graham

holds out in his letter,—‘ Oh, just give up all in the meantime, and then we shall see what we can do for you. Strike your colours. Give up your law, even though you should have nothing better put in its place.’ Why, what does he propose to do? The only legislation he proposes is the legislation of Lord Aberdeen, mended by that of last year. The only legislation he would sanction is declaratory of the law. Be that marked. There is the test of legislation for the church. Is it a declaration of the law, as interpreted by the civil courts now, that we ask? No: we have from the first avowed that nothing but a change of the law would do; and it is idle to put us off with promises of enactments declaring what the law is, when, in point of fact, we avow that the law is declared against us; and if the law is declared against us, it is essential that we have not a declaratory, but an enacting law. The very object for which Lord Aberdeen undertook his bill, was to remove certain difficulties raised, not by the judgment in the Auchterarder case, but by some of the law lords in their opinions,—to declare the law not against the judgment, but with respect to some doubts which were expressed in the House of Lords. And how was he met? He was met with this intimation on the part of the church,—It is not merely the speeches of the law lords which are against us,—it is confessedly the judgment in the Auchterarder case which is against us: we cannot give effect to our judgments, for we find the judgment of the Civil Court opposed to our

principles. Nothing but a change of the law, making it competent to give civil effects to the principle of non-intrusion, can give us relief. But still there is a vague impression in certain quarters, that the Veto Law,—which has a deal more laid on its shoulders than it can be blamed for,—is the cause of our troubles,—is an obstacle in the way of adjustment. To say it is the cause of our troubles, is to forget the judgment in which these originated. That judgment struck, not at the Veto Law, but at the principle that no pastor should be intruded on any congregation. It declared that the rejection of a presentee in respect of the dissent of a congregation was illegal. Now, the church has declared that, if any way in which she could give effect to this principle were pointed out, she would at once adopt that way. But would it be fair or honest in the church to remove the particular form, while she adhered to the substance, of the Veto Law, pretending to yield, so far, deference to the civil authorities, while she was determined all the time that she would still regard the dissent of the people as a sufficient ground for the rejection of a presentee? It is not our refusal to repeal the Veto Law; it is our refusal to intrude pastors on congregations, that has occasioned all our troubles. Were we to repeal the Veto, and take any other measure, and were we to leave the encroachments of the Civil Courts as they have been carried out, we should be surrendering the crown rights of the Redeemer."

## No. 2.

## THE CLAIM OF RIGHTS,

*Or the Overture to the General Assembly for a Declaration against the Unconstitutional Encroachments of the Civil Courts ; adopted by the General Assembly of the Church of Scotland in 1842, by a vote of 241 to 110.*

The Clerk then read the following Overture :

“ It is humbly overtured to the venerable the General Assembly of the Church of Scotland now assembled, by the undersigned members thereof, that the Assembly do, under the circumstances in which the church is at present placed, adopt the following declaration, or a declaration of a similar tenor :—

“ The General Assembly of the Church of Scotland, taking into consideration the solemn circumstances in which, in the inscrutable providence of God, this church is now placed ; and that, notwithstanding the securities for the government thereof by general assemblies, synods, presbyteries, and kirk-sessions, and the liberties, jurisdiction, discipline, rights, and privileges of the same, provided by the statutes of the realm, the constitution of this country, as unalterably settled by the treaty of union, and the oath required to be taken by each sovereign at accession, as a condition precedent to the exercise of the royal authority, ‘ inviolably to maintain and preserve the same,’—which securities might well seem, and had long been thought to place



them beyond the reach of danger or invasion,—these have been of late assailed by the very courts to which the church was authorized to look for assistance and protection, to an extent that threatens the subversion of the said liberties, government, and discipline, with all the grievous calamities to this church and nation, which would inevitably flow therefrom,—do solemnly, and in reliance on the grace and power of the Most High, resolve and agree on the following claim, declaration, and protest: That is to say :—

“Whereas, it is an essential doctrine of this church, in a fundamental principle in its constitution, as set forth in the Confession of Faith thereof, in accordance with the word and law of the Most Holy God, that ‘there is no other head of the church but the Lord Jesus Christ;’ and that, while ‘God, the supreme Lord and King of all the world, hath ordained civil magistrates to be, under Him, over the people, for His own glory and public good, and to this end hath armed them with the power of the sword;’ and while ‘it is the duty of the people to pray for magistrates, to honour their persons, to pay them tribute and other dues, to obey their lawful commands, and to be subject to their authority for conscience’ sake,’ ‘from which ecclesiastical persons are not exempted;’ and while the magistrate hath authority, and it is his duty, in the exercise of that power which alone is committed to him, namely, the ‘power of the sword,’ or civic rule, as distinct from the ‘power

of the keys,' or spiritual authority expressly denied to him, to take order for the preservation of purity, peace, and unity in the church, yet 'the Lord Jesus, as king and head of his church, hath therein appointed a government in the hand of church officers distinct from the civil magistrate,' which government is ministerial, not lordly, and to be exercised in consonance with the laws of Christ, and with the liberties of his people.

"And whereas, according to the said Confession, and to the other standards of the church, and agreeably to the word of God, this government of the church, thus appointed by the Lord Jesus, in the hand of church officers, distinct from the civil magistrate, or supreme power of the state, and consequently flowing directly from the head of the church to the office-bearers thereof, to the exclusion of the civil magistrate, comprehends, as the objects of it, the preaching of the word, administration of the sacraments, correction of manners, the admission of the office-bearers of the church to their offices, their suspension and deprivation therefrom, the infliction and removal of church censures, and, generally, the whole 'power of the keys,' which, by the said Confession, is declared, in conformity with Scripture, to have been 'committed' to church officers, and which, as well as the preaching of the word, and the administration of the sacraments, it is likewise thereby declared, that 'the civil magistrate may not assume to himself.'

“ And whereas this jurisdiction and government, since it regards only spiritual condition, rights, and privileges, doth not interfere with the secular jurisdiction of civil tribunals, whose determinations as to all temporalities conferred by the state upon the church, and as to all civil consequences attached by law to the decisions of church courts in matters spiritual, this church hath ever admitted, and doth admit, to be exclusive and ultimate, as she hath ever given and inculcated implicit obedience thereto.

“ And whereas the above-mentioned essential doctrine and fundamental principle in the constitution of the church, and the government and exclusive jurisdiction flowing therefrom, founded on God’s word, and set forth in the Confession of Faith, and other standards of this church, have been, by diverse and repeated acts of parliament, recognized, ratified, and confirmed; inasmuch as,

“ *First*, The said Confession itself, containing the doctrine and principles above set forth, was ‘ratified and established,’ and voted and approved as the public and avowed Confession of this church, by the fifth act of the second session of the first parliament of king William and queen Mary, entitled, ‘Act ratifying the Confession of Faith, and settling Presbyterian church government.’

“ *Second*, By an act passed in the first parliament of king James VI., entitled, ‘Of admission of ministers: of laic patronages,’ it is enacted and declared, ‘That the examination

and admission of ministers within this realm be only in the power of the kirk, now openly and publicly professed within the same ;' and, while the 'presentation of laic patronages' was thereby 'reserved to the just and ancient patrons,' it was provided, that if the presentee of a patron should be refused to be admitted by the inferior ecclesiastical authorities, it should be lawful for the patron 'to appeal to the General Assembly of the whole realm, by whom the cause being decided, shall take end as they decern and declare.'

" *Third*, By an act passed in the same first parliament, and renewed in the sixth parliament of the said king James VI., entituled, 'Anent the jurisdiction of the kirk,' the said kirk is declared to have jurisdiction 'in the preaching of the true word of Jesus Christ, correction of manners, and administration of the holy sacraments:' and it is farther declared, 'that there be *no other jurisdiction ecclesiastical* acknowledged within this realm, other than that *which is and shall be within the same kirk, or that flows therefrom concerning the premises*;' which act, and that last before mentioned, were ratified and approved by another act passed in the year 1581, entituled, 'Ratification of the liberty of the true kirk of God and religion, with confirmation of the laws and acts made to that effect of before ;' which other act, and all the separate acts therein recited, were again revived, ratified, and confirmed, by an act of the twelfth parliament of the said king James VI., entituled, 'Ratifica-

tion of the liberty of the true kirk,' &c. ; which said act (having been repealed in 1662) was revived, renewed, and confirmed by the before-mentioned statute of king William and queen Mary.

“*Fourth*, The said act of the twelfth parliament of king James VI., ratified and approved the general assemblies, provincial synods, presbyteries, and kirk-sessions, ‘appointed by the kirk,’ and ‘the whole jurisdiction and discipline of the same kirk;’ cassed and annulled ‘all and whatsoever acts, laws, and statutes, made at any time before the day and date thereof, against the liberty of the true kirk, jurisdiction, and discipline thereof, as the same is used and exercised within this realm;’ appointed presentations to benefices to be directed to presbyteries, ‘with full power to give collation thereupon, and to put order to all matters and causes ecclesiastical within their bounds, according to the discipline of the kirk, providing the aforesaid presbyteries be bound and astricted to receive and admit whatsoever qualified minister, presented by his majesty or laic patrons,’ the effect of which proviso, and of the reservation in the act of the first parliament of king James VI., above mentioned, is hereafter more fully adverted to; and further declared that the jurisdiction of the sovereign and his courts, as set forth in a previous act, to extend over all persons his subjects, and ‘in all matters, should noways be prejudicial, nor derogate any thing to the privilege that *God has given* to the spiritual office-

bearers of the kirk, concerning *heads of religion, matters of heresy, excommunication, collation, or deprivation of ministers, or any such like essential censures*, grounded and having warrant of the word of God ;' by which enactment, declaration, and acknowledgment, the state recognized and established as a fundamental principle of the constitution of the kingdom, that the jurisdiction of the church in these matters was 'given by God' to the office-bearers thereof, and was exclusive and free from coercion by any tribunals holding power or authority from the state or supreme civil magistrate.

"*Fifth*, The parliament holden by king Charles II., immediately on his restoration to the throne, while it repealed the above-recited act of the twelfth parliament of king James, and other relative acts, at the same time acknowledged the supreme and exclusive nature of the jurisdiction thereby recognized to be in the church, describing the said acts, as acts 'by which the *sole and only* power and jurisdiction within this church *doth stand in the church*, and in the general, provincial, and presbyterial assemblies and kirk-sessions, and acts which may be interpreted to have given any church power, jurisdiction, or government to the office-bearers of the church, their respective meetings, other than that which acknowledgeth a dependence upon, and subordination to, the sovereign power of the king as supreme.'

"*Sixth*, The aforesaid act of king William and queen Mary, on the narrative that their ma-

jesties and the estates of parliament conceived 'it to be their bounden duty, after the great deliverance that God hath lately wrought for this church and kingdom, *in the first place*, to settle and secure therein the true Protestant religion, according to the truth of God's word, as it hath of a long time been professed within this land; as also the government of Christ's church within this nation, agreeable to the word of God, and most conducive to true piety and godliness, and the establishing of peace and tranquillity within this realm;' besides ratifying and establishing the Confession of Faith, did also 'establish, ratify, and confirm the Presbyterian church government and discipline; that is to say, *the government of the church by kirk-sessions, presbyteries, provincial synods, and general assemblies*, ratified and established by the 116 act James VI., parliament 12, anno 1592, entituled, "Ratification of the liberty of the true kirk," &c., and therefore received by the general consent of this nation, *to be the only government of Christ's church within this kingdom;*' and revived and confirmed the said act of king James VI.

"And whereas, not only was the exclusive and ultimate jurisdiction of the church courts, in the government of the church, and especially in the particular matters, spiritual and ecclesiastical, above mentioned, recognized, ratified, and confirmed, thus necessarily implying the denial of power on the part of any secular tribunal, holding its authority from the sovereign, to review the sentences of the church courts in re-

gard to such matters, or to coerce them in the exercise of such jurisdiction ; but all such power, and all claim on the part of the sovereign to be considered supreme governor over the subjects of this kingdom of Scotland in causes *ecclesiastical and spiritual*, as he is in causes *civil and temporal*, was, after a long continued struggle, finally and *expressly repudiated and cast out of the constitution* of Scotland, *as inconsistent with the Presbyterian church government*, established at the revolution, and thereafter unalterably secured by the treaty of union with England ; by the constitution of which latter kingdom, differing in this respect from that of Scotland, the sovereign is recognized to be supreme governor, ‘*as well in all spiritual and ecclesiastical “things and causes” as temporal.*’ Thus :—

“*First*, The General Assembly having, in the year 1582, proceeded to inflict the censures of the church upon Robert Montgomery, minister of Stirling, for seeking to force himself, under a presentation from the king, into the archbishopric of Glasgow, contrary to an act of the General Assembly discharging the office of prelatie bishop in the church, and for appealing to the secular tribunals against the infliction of church censures by the church courts, and to have these suspended and interdicted,—and having deposed and excommunicated him in disregard of an interdict pronounced by the privy council of Scotland, the then supreme secular court of the kingdom—and having at the



same time declared it to be part of the subsisting discipline of the church, that any ministers thereof who 'should seek any way by the civil power to exempt and withdraw themselves from the jurisdiction of the kirk, or procure, obtain, or use any letters or charges, &c., to impair, hurt, or stay the said jurisdiction, discipline, &c., or to make any appellation from the General Assembly to stop the discipline or order of the ecclesiastical policy or jurisdiction granted by God's word to the office-bearers within the said kirk,' were liable to the highest censures of the church; although their sentence of excommunication was declared by one of the acts of parliament of the year 1584, commonly called the 'Black Acts,' to be void, yet ultimately the king and privy council abandoned their interference, Montgomery submitted to the church courts, and the statute of the twelfth parliament of king James VI., already mentioned, passed and annulled 'all and whatever acts, laws, and statutes, made at any time before the day and date thereof, against the liberty of the true kirk, jurisdiction and discipline thereof, *as the same is used and exercised within this realm;*' since which enactment no similar interference with the discipline and censures of the church was ever attempted till the year 1841.

"*Second*, It having been declared by another of the 'Black Acts' aforesaid, entitled, 'An act confirming the king's majesty's royal power over all the estates and subjects within this realm,' that 'his highness, his heirs and suc-

cessors, by themselves and their councils, are, and in time to come shall be, judges competent to all persons his highness's subjects, of whatever estate, degree, function, or condition, that ever they be of, spiritual or temporal, *in all matters* wherein they or any of them shall be apprehended, summoned, or charged to answer to such things as shall be inquired of them by our sovereign lord and his council; it was, by the said before mentioned act of the twelfth parliament of king James VI., declared that the said act last above mentioned 'shall noways be prejudicial, nor derogate any thing to the privilege that God has given to the spiritual office-bearers of the kirk, concerning heads of religion, matters of heresy, excommunication, collation, or deprivation of ministers, or any such like essential censures, specially grounded and having warrant of the word of God.'

"*Third*, It having been enacted, on the establishment of prelacy in 1612, that every minister at his admission, should swear obedience to the sovereign, as 'the only lawful supreme governor of this realm, as well in matters spiritual and ecclesiastical as in things temporal,' the enactment to this effect was repealed on the restoration of Presbyterian church government.

"*Fourth*, A like acknowledgment, that the sovereign was 'the only supreme governor of this kingdom over all persons *and in all causes*,' having been, on the second establishment of prelacy, consequent on the restoration of king Charles II., required as part of the ordi-

nary oath of allegiance, and having been also inserted into the 'Test Oath,' so tyrannically attempted to be forced on the subjects of this realm during the reigns of Charles II. and James II., and the same doctrine of the king's supremacy in all causes, spiritual and ecclesiastical, as well as temporal and civil, having farther been separately specially declared by the first act of the second parliament of the said king Charles II., (1669,) entituled, 'Act asserting his Majesty's supremacy over all persons and in all causes ecclesiastical,' whereby it was 'enacted, asserted, and declared, that his Majesty hath the supreme authority and supremacy over all persons, and in all causes ecclesiastical within this kingdom,' the estates of this kingdom, at the era of the revolution, did set forth, as the second article of the 'Grievances' of which they demanded redress under their 'Claim of Right,' 'that the first act of parliament, 1669, is inconsistent with the establishment of the church government now desired, and ought to be abrogated.'

"*Fifth*, In compliance with this claim, an act was immediately thereafter passed, of which the tenor follows:—'Our sovereign lord and lady the king and queen's majesties, taking into their consideration, that by the second article of the grievances presented to their majesties by the estates of this kingdom, it is declared, that the first act of the second parliament of king Charles the Second, entituled, "Act asserting his majesty's supremacy over all persons, and in

all causes ecclesiastical," is inconsistent with the establishment of the church government now desired, and ought to be abrogate: Therefore their majesties, with advice and consent of the estates of parliament, do hereby abrogate, rescind, and annul the foresaid act, and declare the same in the whole heads, articles, and clauses thereof, to be of no force or effect in all time coming.' In accordance, also, therewith, the oath of allegiance above mentioned, requiring an acknowledgment of the king's sovereignty 'in all causes,' was done away, and that substituted which is now in use, simply requiring a promise to be faithful, and bear true allegiance to the sovereign; and all preceding laws and acts of parliament were rescinded 'in so far as they impose any other oaths of allegiance and supremacy, declarations and tests, excepting the oath *de fidei*.' By the which enactments, any claim on the part of the sovereigns of Scotland to be supreme rulers in spiritual and ecclesiastical causes, as well as in temporal and civil, or to any power, by themselves or their judges holding commission from them, to exercise jurisdiction in matters or causes spiritual and ecclesiastical, was repudiated and excluded from the constitution, as inconsistent with the Presbyterian church government then established, and still subsisting under the statutes then and subsequently passed, for its security and maintenance, 'without any alteration to the people of this land, in all succeeding generations.'

"And whereas diverse civil rights and pri-

vileges were, by various statutes of the parliament of Scotland, prior to the union with England, secured to this church, and certain civil consequences attached to the sentences of the courts thereof, which were farther directed to be aided and made effectual by all magistrates, judges, and officers of the law; and in particular :—

“ It was, by an act of the twelfth parliament of king James VI., enacted, ‘ That all and whatsoever sentences of deprivation, either pronounced already, or that happens to be pronounced hereafter by any presbytery, synodal, or general assemblies, against any parson or vicar within their jurisdiction, provided since his highness’s coronation, is, and shall be reputed in all judgments, a just cause to seclude the person before provided, and then deprived from all profits, commodities, rents, and duties of the said parsonage and vicarage, or benefits of cure; and that, either by way of action, exception, or reply; and that the said sentence of deprivation shall be a sufficient cause to make the said benefice to vaik there by.’

“ As also, by the fifth act of the first parliament of king William and queen Mary, it was enacted, ‘ That whatsoever minister being convened before the said general meeting, and representatives of the Presbyterian ministers or elders, or the visitors to be appointed by them, shall either prove contumacious for not appearing, or be found guilty, and shall be therefore censured, whether by suspension or deposition, they shall,

*ipso facto*, be suspended from or deprived of their stipends and benefices.'

"As also, by an act passed in the fourth session of the first parliament of king William and queen Mary, entitled an 'Act for settling the peace and quiet of the church,' it was provided that no minister should be admitted unless he owned the Presbyterian Church government, as settled by the last recited act, 'to be the only government of this church; and that he will submit thereto, and concur therewith, and never endeavour, directly or indirectly, the prejudice or subversion thereof;' and it was statute and ordained, 'That the lords of their majesties' privy council, and all other magistrates, judges, and officers of justice, give all due assistance for making the sentences and censures of the church and judicatories thereof, to be obeyed, or otherwise effectual, as accords.'

"As also by an act passed in the fifth session of the foresaid parliament, entitled an 'Act against intruding into churches, without a legal call and admission thereto,' on the narrative, 'that ministers and preachers, their intruding themselves into vacant churches, possessing of manses and benefices, and exercising any part of the ministerial function in parishes, without a legal call and admission to the said churches, is a high contempt of the law, and of a dangerous consequence, tending to perpetual schism;' such intrusion, without an orderly call from the heritors and elders,—the right of presentation by patrons being at the time abolished,

—and ‘legal admission from the presbytery,’ was prohibited under certain penalties; and the lords of the privy council were recommended to remove all who had so intruded, and ‘to take some effectual course for stopping and hindering those ministers who are, or shall be hereafter, deposed by the judicatories of the present established church, from preaching or exercising any part of their ministerial function, which (the said statute declares) they cannot do after they are deposed, without a high contempt of the authority of the church, and the laws of the kingdom establishing the same.’

“And whereas, at the union between the two kingdoms the parliament of Scotland being determined that the ‘true Protestant religion,’ as then professed, ‘with the worship, discipline, and government of this church, should be effectually and unalterably secured,’ did, in their act appointing commissioners to treat with commissioners from the parliament of England, as to a union of the kingdoms, provide, ‘That the said commissioners shall *not* treat of or concerning any alteration of the worship, discipline, and government of the church of this kingdom, as now by law established;’ and did, by another act, commonly called the Act of Security, and entituled, ‘Act for securing the Protestant religion and Presbyterian church government,’ ‘establish and confirm the true Protestant religion, and the worship, discipline, and government of this church, to continue without any alteration to the people of this land in all suc-

ceeding generations;' and did 'for ever confirm the fifth act of the first parliament of king William and queen Mary, entituled, 'Act ratifying the Confession of Faith, and settling Presbyterian church government, *and the whole other acts of parliament relating thereto*;' and did 'expressly provide and declare, That the foresaid true Protestant religion, contained in the above-mentioned Confession of Faith, with the form and purity of worship presently in use within this church, and its Presbyterian church government and discipline,—that is to say, the government of the church by kirk-sessions, presbyteries, provincial synods, and general assemblies, all established by the foresaid acts of parliament, pursuant to the claim of right, shall remain and continue unalterable; and that the said Presbyterian government shall be the only government of the church within the kingdom of Scotland:' and further, for the greater security of the same, did, *inter alia*, enact 'That after the decease of her present majesty, the sovereign succeeding to her in the royal government of the kingdoms of Great Britain, shall, in all time coming, at his or her accession to the crown, swear and subscribe, That they shall inviolably maintain and preserve the foresaid settlement of the true Protestant religion, with the government, worship, discipline, right, and privileges of this church, as above established by the laws of this kingdom, in prosecution of the claim of right;' which said act of security, 'with the establishment therein con-



tained,' it was specially thereby enacted, 'should be held and observed in all time coming, as a fundamental and essential condition of any treaty or union to be concluded betwixt the two kingdoms, *without any alteration thereof, or derogation thereto, in any sort for ever.*' It being further thereby provided, that 'the said act and settlement therein contained shall be insert and repeated in any act of parliament that shall pass, for agreeing and concluding the foresaid treaty or union betwixt the two kingdoms; and that the same shall be therein expressly declared to be a fundamental and essential condition of the said treaty or union in all time coming.' In terms of which enactment, this act of security was inserted in the treaty of union between the two kingdoms, as a fundamental condition thereof, and was also inserted in the act of the parliament of Scotland, ratifying and approving of the said treaty, and likewise in the corresponding act of the parliament of England, entituled, 'An act for the Union of the two kingdoms of England and Scotland.'

"And whereas, at the date of the said treaty of union, the right of patrons to present to churches stood abolished, by virtue of the following enactments, viz., by the act of king William and queen Mary, herein before mentioned, (1690, c. 5,) the act of James VI., (1592, c. 116,) then standing totally repealed, was only revived, subject to the express exception of 'that part of it relating to patronages,' which consequently remained repealed

and unrestored, and 'which,' the act 1690, c. 5. farther bore, 'is hereafter to be taken into consideration.' The part of the act of 1592, c. 116, thus left unrevived and repealed, was the provision, that the presbyteries 'be bound and astricted to receive whatsoever qualified minister presented by his majesty or laic patrons' — a provision which 'was held to leave the church free to proceed in their collation, according to the discipline of the kirk,' and non-compliance with which only implied a forfeiture of the fruits of the particular benefice, under the immediately succeeding statute, 1592, c. 117, whereby it was enacted, that 'in case the presbytery refuses to admit any qualified minister presented to them by the patron, it shall be lawful to the patron to retain the whole fruits of the benefice in his own hands.' This subject having accordingly been thereafter taken into consideration, in the same session of parliament, was definitely settled by an act, entituled, 'Act concerning patronages,' whereby the right of presentation by patrons was 'annulled and made void,' and a right vested in the heritors and elders of the respective parishes, 'to name and propose the person to the whole congregation, to be approven or disapproven by them,' the disapprovers giving in their reasons, 'to the effect the affair may be cognosced upon by the presbytery of the bounds, at whose judgment, and by whose determination,' (as is declared by the said act,) 'the calling and entry of a particular minister is to be ordered and concluded.'

“ And whereas the foresaid act formed part of the settlement of the Presbyterian church government effected at the revolution, and was one of the ‘acts relating thereto,’ and to the statute 1690, c. 5, specially confirmed and secured by the act of security and treaty of union; yet, notwithstanding thereof, and of the said treaty, the parliament of Great Britain, by an act passed in the 10th of queen Anne, repealed the said act, ‘in so far as relates to the presentation of ministers by heritors and others therein mentioned,’ and restored to patrons the right of presentation, and enacted that presbyteries should be ‘obliged to receive and admit in the same manner, such qualified person or persons, minister or ministers, as shall be presented by the respective patrons, as the persons or ministers presented before the making of this act ought to have been admitted.’

“ And whereas, while this church protested against the passing of the above-mentioned act of queen Anne as ‘contrary to the constitution of the church, so well secured by the late treaty of union, and solemnly ratified by acts of parliament in both kingdoms,’ and for more than seventy years thereafter, uninterruptedly sought for its repeal, she at the same time maintained, and practically exercised, without question or challenge from any quarter, the jurisdiction of her courts to determine ultimately and exclusively, under what circumstances they would admit candidates into the office of the holy ministry, or constitute the pastoral relationship between minister and people, and, generally,

‘to order and conclude the entry of particular ministers.’

“And whereas, in particular, this church required, as necessary to the admission of a minister to the charge of souls, that he should have received a call from the people over whom he was to be appointed, and did not authorize or permit any one so to be admitted, till such call should have been sustained by the church courts, and did before, and subsequent to the passing of the said act of queen Anne, declare it to be a fundamental principle of the church, as set forth in her authorized standards, and particularly in the Second Book of Discipline, repeated by act of Assembly in 1623, and that no pastor be intruded upon any congregation, contrary to the will of the people.’

“And whereas, in especial, this fundamental principle was, by the fourteenth act of the General Assembly, 1763, re-declared, and directed to be attended to in the settlement of vacant parishes; but having been, after some time, disregarded by the prevailing party in the church, it was once more re-declared by the General Assembly, 1834, who established certain specific provisions and regulations for carrying it into effect in time to come.

“And whereas, by a judgment pronounced by the House of Lords in 1839, it was, for the first time, declared to be illegal to refuse to take on trial, and to reject the presentee of a patron, (although a layman, and merely a candidate for admission to the office of the ministry,) in con-

sideration of this fundamental principle of the church, and in respect of the dissent of the congregation ; to the authority of which judgment, so far as disposing of civil interests, this church implicitly bowed, by at once abandoning all claim to the *jus devolutum*, and to the benefice for any pastor to be settled by her, and to all other civil right or privilege which might otherwise have been competent to the church or her courts ; and anxiously desirous, at the same time, of avoiding collision with the civil courts, she so far suspended the operation of the above-mentioned act of Assembly, as to direct all cases, in which dissents should be lodged by a majority of the congregation, to be reported to the General Assembly, in the hope that a way might be opened up to her for reconciling with the civil rights declared by the House of Lords, adherence to the above-mentioned fundamental principle, which she could not violate or abandon by admitting to the holy office of the ministry, a party not having, in her conscientious judgment, a legitimate call thereto, or by intruding a pastor on a reclaiming congregation contrary to their will ; and farther, addressed herself to the government and the legislature for such an alteration of the law (as for the first time now interpreted) touching the temporalities belonging to the church, (which alone she held the decision of the House of Lords to be capable of affecting or regulating,) as might prevent a separation between the cure of souls and the benefice thereto attached,

“ And whereas, although during the century

which elapsed after the passing of the said act of queen Anne, presbyteries repeatedly rejected the presentees of patrons on grounds undoubtedly *ultra vires* of the presbyteries, as having reference to the title of the patron or the validity of competing presentations, and which were held by the Court of Session to be contrary to law, and admitted others to the pastoral office in the parishes presented to, who had no presentation or legal right to the benefice, the said court, even in such cases, never attempted, or pretended to direct or coerce the church courts, in the exercise of their functions in regard to the collation of ministers, or other matters acknowledged by the state to have been conferred on the church, not by the state, but by God himself. On the contrary, they limited their decrees to the regulation and disposal of the temporalities which were derived from the state, and which, as the proper subjects of 'actions civil,' were within the province assigned to the Court of Session by the constitution, refusing to interfere with the peculiar functions and exclusive jurisdiction of the courts of the church. Thus, in the case of Auchtermuchty, where the presbytery had wrongfully admitted another than the patron's presentee, the court found, that '*the right to a stipend is a civil right, and, therefore, that the court have power to cognosce and determine upon the legality of the admission of ministers, in hunc effectum, whether the person admitted shall have right to the stipend or not;*' and simply decided, that the

patron was entitled to retain the stipend in his own hands.

“ So, also, the same course was followed in the cases of Culross, Lenark, and Forbes ; in reference to one of which (that of Lenark) the government of the country, on behalf of the crown, in which the patronage was vested, recognized the retention of stipend by the patron, as the only competent remedy for a wrongful refusal to admit his presentee, the Secretary of State having, in a letter to the Lord Advocate of Scotland, (January 17, 1752), signified the pleasure of his Majesty, ‘ directing and ordering his Lordship to do every thing necessary and competent by law, for assisting and taking benefit, in the present case, of the said right and privilege of patrons by the law of Scotland, to retain the fruits of the benefice in their own hands till their presentee be admitted.’

“ So farther, in the before-mentioned case of Culcross, the court refused, ‘ as incompetent,’ a bill of advocation presented to them by the patron, for the purpose of staying the admission by the presbytery of another than his presentee.

“ So likewise in the case of Dunse, the court would not interfere in regard to a conclusion to prohibit the presbytery ‘ to moderate in a call or settle any other man,’ because ‘ that was interfering with the power of ordination or internal policy of the church, with which the lords thought they had nothing to do.’

“ And so, in the same manner, in the case of

Unst, where the party concluded to have the presbytery ordained to proceed to the presentee's settlement, as well as to have the validity of the presentation, and the right to the stipend declared, the court limited their decree to the civil matters of the presentation and stipend.

“And whereas, pending the efforts of the church to accomplish the desired alteration of the law, the Court of Session—a tribunal instituted by special act of parliament for the specific and limited purpose of ‘doing and administration of justice in all *civil actions*,’ with judges appointed simply ‘to sit and decide upon all *actions civil*,’—not confining themselves to the determination of ‘civil actions,’—to the withholding of civil consequences from sentences of the church courts, which, in their judgment, were not warranted by the statutes recognizing the jurisdiction of these courts—to the enforcing of the provision of the act 1592; c. 117, for retention of the fruits of the benefice, in case of wrongful refusal to admit a presentee, or the giving of other civil redress for any civil injury held by them to have been wrongfully sustained in consequence thereof,—have, in numerous and repeated instances, stepped beyond the province allotted to them by the constitution, and within which alone their decisions can be held to declare the law, or to have the force of law, ‘deciding not only actions civil,’ but ‘causes spiritual and ecclesiastical,’ and that, too, even where these had no connexion with the exercise of the right of patronage; and have invaded the jurisdiction, and encroached



upon the spiritual privileges of the courts of the church, in violation of the constitution of the country, in defiance of the statutes above mentioned, and in contempt of the laws of this kingdom : as for instance—

“ By interdicting presbyteries of the church from admitting to the pastoral charge, when about to be done irrespective of the civil benefice attached thereto, or even where there was no benefice, no right of patronage, no stipend, no manse or glebe, and no place of worship, or any patrimonial right connected therewith.

“ By issuing a decree to take on trial and admit to the office of the holy ministry, in a particular charge, a probationer or unordained candidate for the ministry, intruding him also on the congregation, contrary to the will of the people ;—both in this and in the cases last mentioned, invading the church’s exclusive jurisdiction in the admission of ministers, the preaching of the word, and administration of sacraments—recognized by statute to have been ‘ given by God ’ directly to the church, and to be beyond the limits of the secular jurisdiction.

“ By prohibiting the communicants of the church from intimating their dissent from the call to a candidate for the ministry to be their pastor.

“ By granting interdict against the establishment of additional ministers to meet the wants of an increasing population, as uninterruptedly practised from the reformation to this day ; against constituting a new kirk-session in a

parish, to exercise discipline; and against innovating on its existing state, 'as regards pastoral superintendence, its kirk-session, and jurisdiction, and discipline thereunto belonging.'

"By interdicting the preaching of the gospel and administration of ordinances, throughout a whole district, by any minister of the church under authority of the church courts; thus assuming to themselves the regulation of the 'preaching of the word' and 'administration of the sacraments,' and, at the same time, invading the privilege, common to all the subjects of the realm, of having pleasure to worship God according to their consciences, and under the guidance of the ministers of the communion to which they belong.

"By holding the members of inferior church judicatories liable in damages for refusing to break their ordination vows and oaths, (sworn by them, in compliance with the requirements of the statutes of the realm, and, in particular, of the act of security embodied in the treaty of union) by disobeying and setting at defiance the sentences, in matters spiritual and ecclesiastical, of their superior church judicatories, to which, by the constitution of the church and country, they are in such matters subordinate and subject, and which, by their said vows and oaths, they stand pledged to obey.

"By interdicting the execution of the sentence of a church judicatory prohibiting a minister from preaching or administering ordinances within a particular parish, pending the discussion

of a cause in the church courts as to the validity of his settlement therein.

“ By interdicting the General Assembly and inferior church judicatories from inflicting church censures; as in one case, where interdict was granted against pronouncing sentence of deposition upon a minister found guilty of theft by a judgment acquiesced in by himself; in another, where a presbytery was interdicted from proceeding in the trials of ministers accused of fraud and swindling; and in a third, where a presbytery was interdicted from proceeding with a libel against a licentiate for drunkenness, obscenity, and profane swearing.

“ By suspending church censures, inflicted by the church judicatories in the exercise of discipline (which, by special statute, all ‘ judges and officers of justice ’ are ordered ‘ to give due assistance ’ for making ‘ to be obeyed or otherwise effectual ’), and so reponing ministers suspended from their office, to the power of preaching and administering ordinances; thus assuming to themselves the ‘ power of the keys.’

“ By interdicting the execution of a sentence of deposition from the office of the holy ministry, pronounced by the General Assembly of the church; thereby also usurping the ‘ power of the keys,’ and supporting deposed ministers in the exercise of ministerial functions, which is declared by special statute to be a ‘ high contempt of the authority of the church, and of the laws of the kingdom establishing the same.’

“ By assuming to judge of the right of indi-

viduals elected members of the General Assembly to sit therein, and interdicting them from taking their seats ; thus interfering with the constitution of the supreme court of the church, and violating her freedom in the holding of General Assemblies secured to her by statute.

“ By, in the greater number of the instances above referred to, requiring the inferior judicatories of the church to disobey the sentences, in matters spiritual and ecclesiastical, of the superior judicatories to which, by the constitution in church and state, they are subordinate and subject, and which, in compliance with the provisions of the statutes of the realm, their members have solemnly sworn to obey :—thus subverting ‘ the government of the church by kirk-sessions, presbyteries, provincial synods, and general assemblies,’ settled by statute and the treaty of union as ‘ the only government of the church within the kingdom of Scotland.’

“ By all which acts, the said Court of Session have exercised powers not conferred upon them by the constitution, but by it excluded from the province of any secular tribunal—have invaded the jurisdiction of the courts of the church—have subverted its government—have illegally attempted to coerce church courts in the exercise of their purely spiritual functions—have usurped the ‘ power of the keys’—have wrongfully acclaimed, as the subjects of their civil jurisdiction, to be regulated by their decrees, ordination of laymen to the office of the holy ministry, admission to the cure of souls, church

censures, the preaching of the word, and the administration of the sacraments—and have employed the means intrusted to them for enforcing submission to their lawful authority, and compelling submission to that which they have usurped—in opposition to the doctrines of God's word, set forth in the Confession of Faith, as ratified by statute—in violation of the constitution—in breach of the treaty of union—in defiance of diverse express enactments of the legislature, and in disregard of the oath of their sovereign, from whom they hold their commissions.

“And whereas farther encroachments are threatened on the government and discipline of the church, as by law established, in actions now depending before the said court, in which it is sought to have sentences of deposition from the office of the holy ministry reduced and set aside, and minorities of inferior judicatories authorized to take on trial and admit to the office of the holy ministry, in disregard of and in opposition to the authority of the judicatories of which they are members, and of the superior judicatories to which they are subordinate and subject.

“And whereas the government and discipline of Christ's church cannot be carried on according to his laws and the constitution of his church, as held by the Church of Scotland, and ratified by the laws of the land, subject to the exercise, by any secular tribunal, of such powers as have been assumed by the said Court of Session.

“And whereas this church, highly valuing,

as she has done, her connection, on the terms contained in the statutes hereinbefore recited, with the state, and her possession of the temporal benefits thereby secured to her for the advantage of the people, must nevertheless, even at the risk and hazard of the loss of that connection and of these temporal benefits—deeply as she would deplore and deprecate such a result for herself and the community—persevere in maintaining her liberties as a church of Christ, and in carrying on the government thereof on her own constitutional principles, and must refuse to intrude ministers on her congregations, to obey the unlawful coercion attempted to be enforced against her in the exercise of her spiritual functions and jurisdiction, or to consent that her people be deprived of their rightful liberties.

“Therefore, the General Assembly, while, as above set forth, they fully recognise the absolute jurisdiction of the civil courts in relation to all matters whatsoever of a civil nature, and especially in relation to all temporalities conferred by the state upon the church, and the civil consequences attached by law to the decisions, in matters spiritual, of the church courts—do, in name and on behalf of this church, and of the nation and people of Scotland, and under the sanction of the several statutes, and the treaty of union hereinbefore recited, claim, as a right, that she shall freely possess and enjoy her liberties, government, discipline, rights, and privileges, according to law, especially for the de-

fence of the spiritual liberties of her people, and that she shall be protected herein from the fore-said unconstitutional and illegal encroachments of the said Court of Session, and her people secured in their Christian and constitutional rights and liberties.

“And they declare, that they cannot, in accordance with the word of God, the authorized and ratified standards of this church, and the dictates of their consciences, intrude ministers on reclaiming congregations, or carry on the government of Christ’s church, subject to the coercion attempted by the Court of Session as above set forth, and that at the risk and hazard of suffering the loss of the temporal benefits conferred by the state, and the advantages of an establishment, they must, as by God’s grace they will, refuse so to do; for, highly as they estimate these, they cannot put them in competition with the inalienable liberties of a church of Christ, which, alike by their duty and allegiance to their Head and King, and by their ordination vows, they are bound to maintain, ‘notwithstanding of whatsoever trouble or persecution may arise.’

“And they protest, that all and whatsoever sentences of courts and acts of the parliament of Great Britain, in contravention of the fore-said government, discipline, rights, and privileges of this church, secured by the treaty of union, as an unalterable and fundamental condition thereof, are and shall be in themselves, void and null, and of no legal force or effect, as

beyond the powers of the parties from whom they proceed, and in violation of the said treaty ; and that, while they will accord full submission to all such acts and sentences, in so far—though in so far only—as those may regard civil rights and privileges, whatever may be their opinion of the justice or legality of the same, their said submission shall not be deemed an acquiescence therein, but that it shall be free to the members of this church, or their successors, at any time hereafter when there shall be a prospect of obtaining justice, to claim the restitution of all such civil rights and privileges, and temporal benefits and endowments, as for the present they may be compelled to yield up, in order to preserve to their office-bearers the free exercise of their spiritual government and discipline, and to the people the liberties, of which respectively it has been attempted so contrary to law and justice to deprive them.

“ And finally, the General Assembly call the Christian people of this kingdom, and all the churches of the reformation throughout the world, who hold the great doctrine of the sole Headship of the Lord Jesus over his church, to witness, that it is for their adherence to that doctrine, as set forth in their Confession of Faith, and ratified by the laws of this kingdom, and the maintenance by them of the jurisdiction of the office-bearers, and the freedom and privileges of the members of the church from that doctrine flowing, that this church is subjected to hardship, and that the rights so sacredly pledged and se-



cured to her are put in peril ; and they especially invite all the office-bearers and members of this church, who are willing to suffer for their allegiance to their adorable King and Head, to stand by the church, and by each other, in defence of the doctrine aforesaid, and of the liberties and privileges, whether of office-bearers or people, which rest upon it ; and to unite in supplication to Almighty God, that he would be pleased to turn the hearts of the rulers of this kingdom, to keep unbroken the faith pledged to this church, in former days, by statutes and solemn treaty, and the obligations come under to God himself, to preserve and maintain the government and discipline of this church in accordance with his word ; or otherwise, that he would give strength to this church—office-bearers and people—to endure resignedly the loss of the temporal benefits of an establishment, and the personal sufferings and sacrifices to which they may be called, and would also inspire them with zeal and energy to promote the advancement of his Son's kingdom, in whatever condition it may be his will to place them ; and that, in his own good time, he would restore to them these benefits, the fruits of the struggles and sufferings of their fathers in times past in the same cause ; and thereafter, give them grace to employ them more effectually than hitherto they have done for the manifestation of his glory.

## No. 3.

*Resolutions of the Commission of the General Assembly in Jan. 1843.*

I. The Commission having considered the letter of Her Majesty's Secretary of State,\* together with the Minute of the Special Commission in answer thereto, cordially approve of the said Minute, which they hereby adopt as their own.

II. The Commission observe, with extreme regret, that in the letter of the Secretary of State, the claim of the Church is stated in such a manner as to indicate very serious misapprehension in regard to that claim, in several essential points. In particular—

(1.) The letter seems to assume, that the Church placed her application for the abolition of patronage on the same footing with her claim to be protected against the invasions of the Civil Courts, in the exercise of her spiritual functions and jurisdiction, as solemnly ratified by statute and by national treaty; and that the Church considered both of these measures as equally indispensable to the continuance of her connection with the State; whereas it was the vindication of her spiritual jurisdiction which

\* Sir James Graham.

the Church claimed as being indispensable to her existence; the abolition of patronage she sought as a concession she deemed right and desirable.

(2.) The letter also represents the Church's claim in regard to jurisdiction as amounting to a demand that she shall have power exclusively to determine what is spiritual and what is civil, and to fix the bounds of her jurisdiction, as recognised by the state; and it directly charges the Church with having "meddled with what pertained to the civil jurisdiction," in violation of her own maxim, in the Second Book of Discipline;—whereas,

The Church fully admits, and has always admitted, to the civil courts the right of determining, for the extrication of its civil jurisdiction, in every instance, whether the spiritual courts have interfered with civil rights and interests, and of exercising unfettered control over all the temporal and civil benefits which are secured by State to the Church.

III. The Commission farther most deeply regret to perceive, that the grounds of statute law on which the Church rests her constitutional claim of exclusive jurisdiction in matters spiritual, and her complaint against the invasions of the civil courts upon that jurisdiction, do not seem to have been considered or examined by Her Majesty's Government with that attention which a representation from the National Church, alleging, and professing to establish on constitutional grounds, a case of serious and in-

tolerable grievance, would seem to the Commission to have deserved; the fact of the civil courts having actually claimed and exercised the power complained of being held conclusive as to their justly and legitimately possessing that power, without reference to the statutes and constitutional principles to which the Church appeals as demonstrating that they possess no such power, but that it is vested exclusively in the Church.

Again, the Church having consented—in respect of the civil interests ultimately involved, and her anxiety to satisfy the civil Judges on the point of jurisdiction,—to appear and plead in the causes which have been raised—has been constructed into an acknowledgment of the jurisdiction of the civil courts in spiritual matters, and a pledge of submission to their decision, although the very plea maintained by the Church was a denial of that jurisdiction; and although her pleading in the civil courts was guarded in the very same manner in which the House of Commons guarded their plea, when that Honourable House authorized the Attorney-General to appear on behalf of their officer before the Court of Queen's Bench.

IV. The Commission have only to notice, in addition to these misapprehensions, the reference which the Letter of the Secretary of State makes to the Church's conduct in retaining upon her statute-book, after the adverse judgment of the supreme Civil Court, the act anent calls, commonly called the Veto Law.

The Commission cannot admit that the continuance of this law has been the cause of the Church's difficulties. These have been occasioned solely by her refusal to consent that pastors might be intruded into congregations contrary to the will of the people. The judgment pronounced the rejection of a presentee, in respect of the dissent of the congregation, illegal; and the Church could not have escaped from the application of that judgment, unless she had been prepared, not simply to change her form of procedure as regulated by the Veto Law, or to take the presentee upon trials, in the ordinary technical sense of that phrase, but also to settle him as minister of the parish, even in opposition to the united voice of the congregation.

Neither can the Commission admit that the continuance of this law has been, or is, any obstacle in the way of a settlement of this question. For, not only has the Church all along declared her entire willingness to acquiesce in any arrangement which secured her fundamental principles, into whatever form these might be cast;—but legislative measures have been proposed and introduced, differing greatly in form from the Church's present laws, to which no objection was ever stated by the Church on that account, provided only her great principles were maintained.

But this is not all. Although the Church never could hold that she was under any obligation to alter her rule of procedure in a purely

spiritual matter, such as the admission of ministers, merely in consequence of an adverse judgment of the civil courts, she was ever duly sensible of the inconvenience and danger of a state of matters in which the civil law, confessedly regulating the disposal of the fruits of the benefice, was declared to be at variance with the ecclesiastical rule, disposing of the cure of souls.

Had it been possible, consistently with the maintenance of her fundamental principle of non-intrusion, to bring her ecclesiastical rule into harmony with the declared civil law, the Church, from the first, solemnly and repeatedly intimated, that she would have been most anxious to do so.

But to have altered her form of procedure, professedly and apparently with the view of accommodating it to the state of the civil law, while she could not really act according to that law, but was resolved still to hold the dissent of the congregation to be a sufficient reason for rejecting a presentee, notwithstanding the judgments of the civil courts,—would have been truly to incur the blame of that double-dealing with which the Church has sometimes been unjustly charged.

At the same time the Church evinced, in various ways, her anxiety to avoid collision with the civil courts, and to make any alteration in the form into which she had cast her principle, which might facilitate an adjustment.

The Church, while applying earnestly to

the Government and the Legislature for such a modification of the civil law as might bring the judgments of the civil courts in future, into harmony with the Church's fundamental principle, continued, for a series of years, to order all cases of disputed settlements to presentees to be referred by the inferior courts to the Assembly, with the avowed purpose of having them disposed of according to any new law, different from the Veto, by retaining the principle, which the Legislature might pass on the subject.

Farther, the Church, in the memorials of her Committees, and other public documents, uniformly expressed her willingness to make any alteration in her existing law which was consistent with adherence to principle, immediately on the passing of any legislative measure giving the civil sanction to another mode of carrying it into effect.

Moreover, the Church herself proposed, in the very beginning of her negotiations with Government, several methods of carrying out her principle, some of them altogether different from the Veto Law, to any one of which she declared her readiness to accommodate her ecclesiastical procedure.

V. The proceedings which have taken place since the meeting of the General Assembly, by whom the Claim of Rights,—particularly the second judgment of the House of Lords in the Auchterarder case, finding spiritual courts liable in civil damages, in respect of the exercise of their functions in the admission of ministers,

together with the decision of the Court of Session, interdicting and suspending the actings of spiritual courts, in regulating the cure of souls and the right of ruling in the Church,—render it, in the opinion of the Commission, more than ever clearly indispensable that any measure proposed for the settlement of the existing difficulties of the Church, must effectually redress these grievances complained of, and secure the Church against such encroachments of the Civil Courts in time to come.

And the Commission consider it necessary to repeat explicitly, what is intimated in the Claim of Rights, that if the Church do not obtain the redress sought, and, by failure to obtain such redress, the Church find virtually adopted and sanctioned by the Legislature, the law as recently declared by the Civil Courts, and the jurisdiction in matters spiritual asserted by them, no result can be anticipated but that those of her office-bearers and members who adhere to the great doctrine and principles for which she is now contending, must renounce their present connection with the state, and abandon the temporal benefits of an Establishment, which will in that case be practically and in effect clogged with conditions which they cannot in conscience fulfil.

But, at the same time, deeming that it is from the Legislature,—the supreme power in the state,—that a decision, express or tacit, should be had by the Church, the Commission resolve to present petitions to both Houses of



Parliament, laying before them the Claim of Rights adopted by the late General Assembly, and praying that they may be pleased to adopt measures for granting the redress and protection there sought, and appoint a Committee to prepare petitions to both Houses of Parliament, and report.

The Court then adjourned till seven o'clock.

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No. 4.

*Petition to Parliament of Commission of General Assembly.*

Adopted in January, 1843.

Unto the Honorable the Commons of Great Britain, in Parliament assembled.

'The Humble Petition of the Commission of the General Assembly of the Church of Scotland—

*Showeth*—That by the constitution of the kingdom of Scotland, as settled at the Revolution, the ultimate and exclusive jurisdiction of the Church and her Courts, in matters spiritual and ecclesiastical, was recognised and ratified.

That this exclusive and ultimate jurisdiction had been claimed and asserted by the Reformed Church of Scotland from the period of its institution; and that, so early as 1567, when her jurisdiction was recognised by the Legislature, in the "preaching of the word," "correction of man-

ners," and "administration of the sacraments," it was declared by statute 1567, c. 12, "that there be no other jurisdiction ecclesiastical acknowledged within this realm, other than that which is and shall be within the same Kirk, or that which flows therefrom, concerning the premises."

That a few years thereafter, King James VI. obtained an act to be passed (1584, c. 129), declaring that the sovereigns of Scotland were, by themselves and their councils, "judges competent" to their subjects "in *all* matters;" but that by the subsequent act, establishing the Presbyterian government, and ratifying the General Assemblies, Synods, Presbyteries, and Kirk-Sessions, appointed by the Kirk" (1592, c. 116), it was declared that the said statute should "no ways be prejudicial, nor derogate any thing to the privilege that God has given to the spiritual office-bearers in the Kirk, concerning heads of religion, matters of heresy, excommunication, collation and deprivation of ministers, or any such like essential censures, grounded and having warrant of the word of God;" and by the same act, all statutes and laws against the "liberty," "jurisdiction," and "discipline" of the Kirk, as then exercised, were rescinded, and power was sanctioned in the Church Courts "to put order to all matters and causes ecclesiastical, according to the discipline of the Kirk."

That for a century thereafter a constant struggle was maintained between the Kings of Scotland on the one hand, and the Church and nation on the other, regarding the admission into

the constitution of the principle that the sovereign was "supreme ruler in *all* causes, as well spiritual and ecclesiastical as temporal and civil," and that, after having been alternately rejected and acknowledged, it was finally repudiated at the Revolution.

That on one of the occasions on which this principle was re-introduced into the constitution of Scotland, namely, the restoration of King Charles II., the acts establishing the Presbyterian Church then repealed (and particularly the Act 1592, c. 116), were described in the statute whereby they were so repealed, as acts "by which the sole and only power and jurisdiction within this Church doth stand in the Church, and in the General, Provincial, and Presbyterial Assemblies, and Kirk-Sessions."

That the acts of Parliament so characterized by the Legislature of Scotland were revived and ratified at the Revolution (by statute 1690, c. 5), and the statute recognising the principle, that the sovereign was supreme ruler in cases spiritual and ecclesiastical, was repealed as being "inconsistent with the establishment of Church government" then desired; which repeal was effected in compliance with the second article of the Claim of Right of the Estates of Scotland, forming a condition of the offer of the crown to King William and Queen Mary.

That at the same time (by statute 1690, c. 5) the government of the Church by General Assemblies, Synods, Presbyteries, and Kirk-Sessions, was declared to be the "only government"

of the Church within the kingdom; and the Confession of Faith was ratified and approved, wherein it is set forth, as an article of religious doctrine and belief, that the Divine Head of the Church "hath therein appointed a government in the hands of Church officers distinct from the civil Magistrate."

That, in regard to this matter, the constitution of England is directly opposed to that of Scotland, the sovereign, who is the source of judicial power, being there acknowledged to be supreme ruler in all causes, "as well spiritual and ecclesiastical as temporal and civil;" and this principle being admitted as a doctrine of religion in the articles of the Church of England.

That in forming an union with that kingdom, in which besides the distinction in the form of Church government, the constitution so greatly differed in regard to a matter that had formed the subject of such a long continued and arduous contest, crowned with success at the Revolution, the most anxious provision was made by the Scottish nation against any alteration or innovation in reference to the Church as then established, the Commissioners for the Union not being allowed even to treat of any such alteration, and it being provided by antecedent stipulation, "as a fundamental and essential condition" of the treaty, inserted in the treaty, and in the acts of the Parliaments of both kingdoms ratifying the same, that the "government, discipline, right, and privileges" of the Church, as settled at the Revolution, "in prosecution of the Claim of Right,"

should be maintained, "without any alteration thereof, or derogation thereto, in any sort, for ever."

That from the time when Scotland yielded up her separate and independent Legislature, the practical observance of the solemn stipulations of this treaty, of necessity depended on the good faith, justice, and honour of the English nation, whose representatives possessed a voice so paramount in the united Legislature.

That while the Scottish Church and nation deemed that they had good cause of complaint in the passing of the act of Queen Anne restoring the right of patronage which stood abolished at the Union,—an act promoted with a view to the overthrow of the Revolution settlement, and of the succession of the royal house which so happily reigns over this empire,—that act was never, till recently, so construed or employed as to be made a means of encroaching on the spiritual government and discipline of the Church.

That till within a few years the Court of Session in Scotland, a Court of statutory origin and limited jurisdiction, instituted exclusively for the decision of "actions civil," did not attempt to interfere with or coerce the church courts in the performance of their functions, but on the contrary, disclaimed all right so to interfere, restricting the redress given by them, when they deemed the proceedings of the church courts to be illegal, to the disposal of the temporalities attached by law to the spiritual cures of the Church, and determining whether and how far civil con-

sequences followed, according to law, from the sentences of the church courts,—matters which the church freely acknowledges to be within the exclusive and ultimate jurisdiction of the Court of Session.

That of late that Court, no longer confiding itself to the disposal of civil rights, and the decision of causes appropriated to its exclusive jurisdiction, has, for the first time since its institution, interfered with and reviewed the sentences of the church courts, in matters confessedly within the province of the Church.

That the occasion of the first interference on the part of the said court, was the rejection of the presentee to a parish, in respect of the dissent of the congregation, under the fundamental principle of the Church, “that no pastor be intruded on any congregation contrary to the will of the people,”—a principle forming part of the discipline of the Church, when established in 1592 with its then subsisting discipline,—which was declared in 1638,—re-declared in 1736, up to which time it had been, with few exceptions, acted on from the date of the Act of Queen Anne, and which was again re-declared in 1834,—and a principle which, although the Church has always been ready and willing to alter the form of it, she cannot abandon.

That the interference of the said court has not, however, been confined to enforcing the admission of a patron's presentee, when rejected in respect of the dissent of the people, but has been extended to almost all the various matters set

forth in the statutes herein before recited as belonging to the exclusive jurisdiction of the Church,—such as the “preaching of the word,” “administration of the sacraments,” “correction of manners,” “collation and deprivation of ministers,” and other matters falling within the “government of the Church,” and the “putting order to all matters and causes ecclesiastical;”—suspending such sentences, and interdicting their execution, restoring suspended and deposed ministers to their functions,—prohibiting the preaching of the word and administration of the sacraments throughout whole districts,—staying and paralyzing the discipline of the Church, and subverting its government.

That the General Assembly, which met in May last, agreed to and adopted a Claim, Declaration, and Protest, wherein are set forth at length the several acts of encroachment, on the part of the said court, complained of, and the diverse statutes which ratify and secure the jurisdiction of the Church, and exclude that of the civil court, in the matters to which these acts refer.

That since the rising of the said Assembly, additional and further encroachments have been made on the spiritual jurisdiction and government of the Church; as for instance—

In the Culsalmond case, the court suspended and interdicted a sentence of the General Assembly, which rescinded the settlement of a minister effected by a Presbytery, on the ground exclusively of certain irregularities in the procedure,

admitted by all parties in the Assembly to be in contravention of the laws of the Church.

In the Arbroath case, they interdicted the inferior church courts from refusing Christian privileges,—including, of course, admission to the Lord's table—to an excommunicated person.

And in the Stewarton case, they suspended and interdicted the establishment of an additional pastoral charge in a parish,—prohibited the reception of the minister of it into the Presbytery, the institution of a new kirk-session, the allocation of a special district for the purposes of pastoral superintendence and spiritual discipline, or the making any alteration in the state of the parish as regards these matters.

That the establishment of additional charges, and the admission of the ministers to church courts, had been invariably and in numerous instances, extending from the passing of the act 1592 down to the present time, effected by authority of the church courts alone, without challenge or question, and the validity of her acts as to this matter had, in accordance with a train of high legal authority, been recognised by an unanimous decision of the Court of Session so lately as 1836; while the power of the Church to erect districts or parishes *quoad spiritualia* was expressly acknowledged by an act of his late Majesty King William (4 and 5 William IV., c. 41); and that the practical effect of the decision above mentioned, if submitted to by the Church, would be to extinguish about two hundred pas-



toral charges, of eminent utility to the country, and maintained without expense to the State,—to annihilate as many kirk-sessions, now in active and useful operation, to throw back the whole population of overgrown parishes (extending in one case to 110,000 souls) on the exclusive pastoral superintendence and spiritual discipline of a single minister and kirk-session,—and to subject all increase of the means of such superintendence and discipline, though at the sole expense of the inhabitants themselves, to the absolute will and pleasure of any proprietors of a parish holding one-fourth of the land within it.

That by these and the former decisions of the said Court, nearly the whole province of the Church's jurisdiction has been invaded, and scarcely one function is left to be performed by her Courts free from interference and coercion.

That the Church has not been able to recognise in the statutes establishing or conferring power on the Court of Session, any warrant given to it by the state to declare authoritatively the conditions of the Establishment,—to prescribe the limits of the Church's jurisdiction,—to coerce her Courts in the exercise of their functions within their own province,—or to pronounce and declare the law, and the mind and will of the Legislature, as to these matters, while the supreme Court of Appeal cannot, as such, exercise any jurisdiction not belonging to the Court whose judgments it reviews; and the Church being vested with a jurisdiction sanctioned by the state, has not felt herself at liberty to abandon that ju-

risdiction, merely on the declaration of another Court, not authorized by the state to determine its nature and limits.

That if, however, the Legislature, as the supreme power of the state, shall, whether tacitly or expressly, recognise in the Court of Session such a power, or adopt its decisions as declaring the law in the matters in question, the Church will, of course, recognise these as law, and hold that the conditions of the Establishment must thenceforth be deemed to be such as the Civil Court has declared, and that the powers asserted by it over the Church Courts must be deemed to be recognised as having been conferred upon it by the state.

That in the Claim, Declaration, and Protest, above-mentioned, the General Assembly set forth that the Church must, in any event, "refuse to intrude ministers on her congregations," and to "submit to the unlawful coercion attempted to be enforced against her in the exercise of her spiritual functions and jurisdiction," even at the risk of the loss of the benefits of her Establishment.

That the late decisions of the Court of Session, and other recent events, tend more and more to confirm and increase the conviction of this Commission, that if effectual redress be not afforded by Parliament, a speedy disruption of the Establishment is inevitable.

That, deeply impressed with the grievous evils to the nation, as well as to the Church, which would thence ensue, the Commission would ear-

nestly entreat your Honourable House to take into your serious consideration the matters above set forth, and which are more fully detailed in the Claim, Declaration, and Protest above-mentioned, together with the true character and nature of the Church's claims, and the statutes to which she appeals in support of them, as well as those establishing the Court of Session, which, as she conceives, do not confer the powers of late, and for the first time since its institution, exercised by that Court, and thereupon provide protection and security to the judicatories and people of the Church of Scotland in the enjoyment of their constitutional and guaranteed rights and liberties; so as to save from subversion a Church dear to Scotland, which, your petitioners venture to think, has conferred some benefit on the country, and which is associated with the cause of liberty and order, and the extension of knowledge, religion, and piety, in this part of her Majesty's dominions; and, at the same time, to keep unbroken a solemn treaty, on the faith of which the Scottish nation gave up its independent legislature.

Your petitioners therefore pray, that it may please your Honourable House to take the premises into your serious and favourable consideration, together with the Claim, Declaration, and Protest, above mentioned and hereunto appended, and thereupon to adopt such measures as to your Honourable House may seem meet, to secure the judicatories of the Church of Scotland and members

thereof from coercion and interference, in regulating and disposing of the said several matters above recited, as to which it is provided by the acts of the Parliament of Scotland before mentioned, "that no other jurisdiction be acknowledged than that which is in the Church, or which flows therefrom," and that the statute declaratory of the power of the sovereign should not "derogate or be prejudicial to" the powers of the office-bearers of the Church; and also in administering the "government" of the Church recognised by statute, as being "only" in the Courts of the Church, and as having been established therein "distinct from the civil magistrate;" and in establishing additional charges, as she has been immemorably in use to do, and increasing the means of pastoral superintendence and spiritual discipline; and to protect the sentences of the Church as to these matters from being reduced or suspended, or the execution thereof interdicted, as to their effects in respect of spiritual and ecclesiastical status, functions, and privileges:—not interfering with, however, nor encroaching upon, the undoubted power and jurisdiction belonging to the Civil Courts absolutely and exclusively to determine in what circumstances, and to what extent, civil consequences,—as to the possession of the temporalities and civil rights attached to ministerial charges within Scotland,—do, according to law, follow upon

such sentences in any paruticular case ; and how far civil aid shall be allowed for carrying them into effect : and, in like manner, to adopt such measures as to your Honourable House may seem meet,—by alteration of the law, in regard to the presentation to church livings in Scotland, as recently declared by the Civil Court, for securing that no minster be intruded into any benefice in Scotland contrary to the will of the congregation : Your petitioners further pray, that they may be heard by certain of their number, or by their counsel, at the bar of your Honourable House, in support of this their petition.

And your petitioners shall ever pray, &c.

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No. 5.

*The Protest read and handed in before retiring  
from the Assembly, in May, 1843.*

WE, the undersigned Ministers and Elders, chosen as commissioners to the General Assembly of the Church of Scotland, indicted to meet this day, but precluded from holding the said Assembly by reason of the circumstances hereinafter set forth, in consequence of which a Free Assembly of the Church of Scotland, in accordance with the laws and constitution of the said Church, cannot at this time be holden,—

*Consider* that the Legislature, by their rejection of the Claim of Rights adopted by the last General Assembly of the said Church, and their refusal to give redress and protection against the jurisdiction assumed, and the coercion of late repeatedly attempted to be exercised over the courts of the Church in matters spiritual by the civil courts, have recognised and fixed the conditions of the Church Establishment, as henceforward to subsist in Scotland, to be such as these have been pronounced and declared by the said civil courts in their several recent decisions, in regard to matters spiritual and ecclesiastical, whereby it has been *inter alia* declared,—

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.

3d. 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 principles 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 supersede 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.

All which jurisdiction and power on the part of the said civil courts severally above specified, whatever proceeding may have given occasion to its exercise, is in our opinion, in itself inconsistent with Christian liberty,—with the authority which the Head of the Church hath conferred on the Church alone.

*And further, considering* that a General Assembly, composed in accordance with the laws and fundamental principles of the Church, in part of commissioners themselves admitted without the sanction of the civil court, or chosen by



Presbyteries, composed in part of members not having that sanction, cannot be constituted as an Assembly of the Establishment without disregarding the law and the legal conditions of the same as now fixed and declared.

*And further, considering* that such commissioners as aforesaid would, as members of an Assembly of the Establishment, be liable to be interdicted from exercising their functions, and to be subjected to civil coercion at the instance of any individual having interest who might apply to the civil courts for that purpose.

*And considering further,* that civil coercion has already been in divers instances applied for and used, whereby certain commissioners returned to the Assembly this day appointed to have been holden, have been interdicted from claiming their seats and from sitting and voting therein, and certain Presbyteries have been by interdicts directed against the members prevented from freely choosing commissioners to the said Assembly, whereby the freedom of such Assembly, and the liberty of election thereto, has been forcibly obstructed and taken away.

*And further, considering* that, in these circumstances, a Free Assembly of the Church of Scotland, by law established, cannot at this time be holden, and that any Assembly, in accordance with the fundamental principles of the Church, cannot be constituted in connection with the State without violating the conditions which must now, since the rejection by the Legislature of the Church's Claim of Right, be held to be the conditions of the Establishment.

*And considering* that, while heretofore as members of Church judicatories ratified by law and recognised by the constitution of the kingdom, we held ourselves entitled and bound to exercise and maintain the jurisdiction vested in these judicatories with the sanction of the constitution, notwithstanding the decrees as to matters spiritual and ecclesiastical, of the civil courts, because we do not see that the State had required submission thereto as a condition of the Establishment, but, on the contrary, were satisfied that the State, by the acts of the parliament of Scotland, for ever and unalterably secured to this nation by the Treaty of Union, had repudiated any power in the civil courts to pronounce such decrees, we are now constrained to acknowledge it to be the mind and will of the State, as recently declared, that such submission should and does form a condition of the Establishment, and of the possession of the benefits thereof; and that 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, THEREFORE, the ministers and elders aforesaid, on this, the first occasion since the rejection by the Legislature of the Church's Claim of Right, when the commissioners chosen from throughout the bounds of the Church to

the General Assembly appointed to have been this day holden, are convened together, DO PROTEST, that the conditions aforesaid, while we deem them contrary to and subversive of the settlement of Church Government effected at the Revolution, and solemnly guaranteed by the Act of Security and Treaty of Union, are also at variance with God's word, in opposition to the doctrines and fundamental principles of the Church of Scotland, inconsistent with the freedom essential to the right constitution of a church of Christ, and incompatible with the government which He, as the Head of his church, hath therein appointed distinct from the civil magistrate.

And we further PROTEST, that any Assembly constituted in submission to the conditions now declared to be law, and under the civil coercion which has been brought to bear in the election of commissioners to the Assembly this day appointed to have been holden, and on the commissioners chosen thereto, is not and shall not be deemed a free and lawful Assembly of the Church of Scotland, according to the original and fundamental principles thereof, and that the claim, declaration, and protest, of the General Assembly which convened at Edinburgh in May, 1842, as the act of a free and lawful Assembly of the said Church, shall be holden as setting forth the true constitution of the said Church, and that the said claim, along with the laws of the Church now subsisting, shall in nowise be affected by whatsoever acts and proceedings of any Assembly constituted under the conditions

now declared to be the law, and in submission to the coercion now imposed upon the Establishment.

And, finally, while firmly asserting the right and duty of the civil magistrate to maintain and support an establishment of religion in accordance with God's word, and reserving to ourselves and our successors to strive by all lawful means, as opportunity shall, in God's good providence, be offered, to secure the performance of this duty agreeably to the Scriptures, and in implement of the statutes of the kingdom of Scotland, and the obligations of the Treaty of Union as understood by us and our ancestors, but acknowledging that we do hold ourselves at liberty to retain the benefits of the Establishment while we cannot comply with the conditions now deemed to be thereto attached—we PROTEST, that in the circumstances in which we are placed, it is and shall be lawful for us, and such other commissioners chosen to the Assembly appointed to have been this day holden, as may concur with us, to withdraw to a separate place of meeting, for the purpose of taking steps for ourselves and all who adhere to us—maintaining with us the Confession of Faith and standards of the Church of Scotland, as heretofore understood—for separating in an orderly way from the Establishment; and thereupon adopting such measures as may be competent to us, in humble dependence on God's grace and the aid of the Holy Spirit, for the advancement of his glory, the extension of the gospel of our Lord and Saviour, and the administration

of the affairs of Christ's house, according to his holy word : and we do now withdraw accordingly, humbly and solemnly acknowledging the hand of the Lord in the things which have come upon us, because of our manifold sins, and the sins of this Church and nation ; but, at the same time, with an assured conviction, that we are not responsible for any consequences that may follow from this our enforced separation from an Establishment which we loved and prized—through interference with conscience, the dishonour done to Christ's crown, and the rejection of his sole and supreme authority as King in his Church.\*

Immediately on reading the Protest, which was listened to with breathless attention, Dr. Welsh handed it to the Clerk, left the chair, and proceeded to the door of the Assembly, followed by Dr. Chalmers, Dr. Gordon, Dr. Macfarlane of Greenock, Dr. Brown of Glasgow, Dr. Macdonald of Ferintosh, and the whole body of adhering ministers and elders. The effect of their movement on the audience was striking—a loud cheer burst from the gallery, which, however, was suddenly hushed, and the whole audience stood gazing intently on the scene below, very many of them in tears. Whenever Dr. Welsh, Dr. Chalmers, and Dr. Gordon made their appearance outside, they were received with a

\* The above Protest was concurred in by upwards of 300 ministers, not members of Assembly. A complete list of all the adhering ministers will be found in the proceedings of Tuesday, May 23, when the Act and Deed of Demission was signed in presence of the Assembly.

tremendous burst of applause from the masses assembled in George Street, which was continued and reiterated with the most extraordinary enthusiasm as they went along. All the windows and staircases were filled with ladies; nay, every available space,—the very housetops were covered with groups of spectators, and the universal waving of hats and handkerchiefs from all quarters, mingled with the shouts below, had a very imposing effect. The whole body formed into a line of procession, four abreast, and proceeded down by North Hanover Street, Dundas Street, Pitt Street, &c., to the Hall at Tanfield, Canonmills—preceded, accompanied, and followed by immense multitudes of people—a large number of windows along the line being, as in George Street, filled with ladies waving their handkerchiefs. When they reached Tanfield, they were greeted with a loud and continued burst of cheering from the multitudes which had assembled to receive them; and on entering the Hall, the part of it assigned to the public was found filled to overflowing, with a large and most respectable company. Those parts of the Hall devoted to ministers and elders were soon also filled, and when the business commenced, the sight of the immense mass of people congregated, upwards of 3000 persons, had a most magnificent effect.

THE  
PRELITICAL DOCTRINE  
OF  
APOSTOLICAL SUCCESSION  
EXAMINED,

AND THE PROTESTANT MINISTRY DEFENDED AGAINST THE  
ASSUMPTIONS OF POPERY AND HIGH CHURCHISM,

In a Series of Lectures.

BY THOMAS SMYTH,  
*Pastor of the Second Presbyterian Church, Charleston, S. C.*

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CRITICAL NOTICES.

**Overture adopted by the Synod of S. Carolina and Geo. at its session in 1841**

That the publication of works intended to advocate the distinctive order and polity of our church should be encouraged, and their circulation among our people rendered as general as possible; and it having come to the knowledge of this Synod, that one of their number, the Rev. Thomas Smyth, of Charleston, has recently given to the Church, among other valuable publications, 'An Ecclesiastical Catechism of the Presbyterian Church, for the use of Families, Bible Classes, and Private Members,'—and a series of lectures on 'The Prelitical Doctrine of Apostolical Succession Examined, and the Protestant Ministry Defended against the Assumptions of Popery and High-Churchism.' Therefore, *Resolved*, That the Synod of South Carolina and Georgia regard with pleasure and approbation these publications, as containing an able defence of the divine authority of the Protestant Ministry, and a full and satisfactory exposition of the order and government of our Church; and as demanded by the present state of the controversy on these subjects. And the Synod does, therefore, cordially recommend the said publications to all our Ministers, Elders, and private members, as works of high value, and calculated to advance the intelligence of our Church, on our distinctive peculiarities and doctrines.

**Extract from a review of the work in the Biblical Repository, for Jan'y, 1841.**

'This book does no small credit to the industry and talent of the author. The importance of his subject, the correctness of his views, and the abundance of materials which he seems to have had at his command, entitle his performance to the most respectful notice. The author's mind is not only strong but lively, and his book exhibits traces of both qualities. The natural, (and may we not say,) national, vivacity with which he seizes on his topics and discusses them, enlivens in a very satisfactory degree even those parts of the subject which might otherwise have proved most irksome and fatiguing. In a word, the book, (which by the way is elegantly printed,) may be freely commended to the favorable notice of the public; and we doubt not that wherever it is read it will be useful, in apprising those who read it what the high church doctrine really is, and on what grounds it may be most triumphantly and easily refuted.'

**From the Southern Christian Advocate.**

'We have the pleasure to announce the probable publication of these Lectures at no distant day. As far as opportunity has allowed it, we have attended Mr. Smyth's course, and been both pleased and edified. Pleased, in witnessing a fine combination of candor, kindness, and strength, in the discussion of difficult and soul-rousing questions. Edified, in listening to a vigorous discussion of important first principles, where the lecturer was master of his thesis, and backed his reasoning by extensive authority of the highest value in this controversy. This volume, in which the Prelatic Doctrine of Apostolical Succession is considered, will be highly valuable to the theological student.'

**From the Christian Intelligencer, of the Reformed Dutch Church, N. Y.**

'This is an exceedingly neat volume of five hundred and sixty-eight pages, beautiful in its mechanical execution, and upon a subject of grave and exciting importance. The work is seasonable, and from the cursory examination which we have as yet been able to give to it, we believe that it will prove to be exceedingly valuable. The work before us, at the present crisis, is seasonable and necessary. It is more ample in its discussion than any that preceded it. It is the result of much and patient research, and will be found to reflect credit alike upon the talents and learning, and we will add also, the temper of the author. He has rendered the Protestant community a debtor. We desire that the work may have the widest circulation, and receive the careful perusal both of Episcopalians and Christians of every other name.'

**From the Christian Advocate and Journal, of the Methodist Church, N. Y.**

'This is a large octavo volume. The author makes thorough work of his subject, examining the pretensions of Prelacy with care and candor, and exposing their fallacy with unanswerable force and perspicuity. He gives the claims which are set up by Popery and High-Churchmen in their own language, and refutes them by arguments drawn from reason, church history, and Scripture. The Christian world seems to be waked up anew to the high and exclusive claims of Prelacy by the astounding assumptions of the Oxford divines; and we admit that such a book as that before us seems to be called for by the occasion, and will no doubt be read with great interest.'

**From the New York Evangelist.**

'A large and elegant octavo volume, on a most important topic. Its object is the examination of the claims of the Popish hierarchy, and of that portion of the clergy and laity of the Episcopal Church which sympathizes with them, to the exclusive right to the functions and privileges of the Christian ministry and Church. These claims, always unscriptural, have of late assumed new arrogance and vigor, by the brief currency of the Oxford publications, and the greatly quickened zeal of the Papacy among us. The time has certainly arrived when their exclusive notions should be subjected to the searching test of reason and scripture. If there are those among us who will vauntingly assume that theirs is the only, the valid ministry, that with them are to be found the only authorized ordinances of salvation, that there is no safety but within the pale of their own denomination; let their pretensions be sifted, and the emptiness of their claims be exposed by the clear light of truth. That such a contest with the principle of Prelacy is yet to be waged, and that it is to be abandoned, there can be no doubt. We hail every effort to throw light upon the subject. Mr. Smyth has entered vigorously upon the field of controversy, and has spared neither pains or strength to do it justice. He has gone over the whole ground in a more extended manner than any writer before him in this country, and in an able manner.'

**From The Presbyterian.**

'The volume before us contains a very full and minute discussion of the doctrine indicated in its title, and is to be followed by another which will vindicate the claims of Presbyterianism. The necessity of the work arises from the



increasing boldness and arrogance with which the Episcopal Church obtrudes its claims as the only true church, with the only valid ordinances, and the only divinely constituted ministry. As to the manner in which he has accomplished his task, we are disposed to judge very favorably, from the necessarily partial manner in which we have been able to examine his work. He has acquired a clear and distinct view of the question discussed in all its bearings, and to each specific point he has brought a mind stored with the fruits of extensive reading. We have admired the extent of his research, and his diligence in learning all that had been said by preceding writers which could throw light on the discussion; and indeed we have rather regarded him as too redundant in his authorities; a fault, by the way, not often committed in this age of jumping at conclusions. Mr. Smyth states the question of Apostolic succession, so much in the mouth of modern Episcopalians, and he views it in all possible lights, weighs it in just balances, and pronounces it wanting. He not only proves that the assumption is unscriptural and unreasonable, but he traces the boasted succession, and shows its broken links, and finds after all the flourish of trumpets, that prelatists are glorying in a mere shadow. He carries the war, moreover, into the enemy's camp, and he carries off many trophies. Mr. Smyth is undoubtedly an able controversialist, and prelatists will find him well armed at all points, if they are disposed to attack.'

#### From the Southern Christian Advocate.

'The work before us is, we believe, the first distinct treatise published in this country on the subject of the Apostolical Succession, and in opposition to its arrogant assumptions. A very ably argued and well written work has been recently given to the English public, entitled 'An Essay on Apostolical Succession,' by the Rev. Thomas Powell, a Wesleyan minister, of which Mr. Smyth makes honorable mention. We consider, therefore, the publication of these Lectures as a valuable contribution to the religious literature of the time, demanded withal by the claims of that portion of our common Christianity, which is so unfortunate as to have no participation in the anointing oil of prelatist consecration, and which lies beyond the range of apostolico-succession-covenant blessing. Mr. Smyth has executed his task in a candid, kind, and courteous spirit, while he has subjected the theory of Apostolical Succession to the scrutiny of a thorough, extensive, and fearless examination. Innumerable authorities are cited, and a copious index concludes the volume, which embraces upwards of five hundred and sixty-nine pages, and is gotten up in the finest finish of the typographical art.'

#### From the Charleston Observer.

'Notice was taken of these Lectures while in course of delivery. They are now published, and with the notes, which contain as much reading as the text, make a large volume of five hundred and sixty-eight pages. The typographical execution is in the best modern style, from the press of Crocker and Brewster, Boston. Our design, at present, is simply to apprise our readers that the work is published, intending at our leisure to give it a more formal notice. As the basis of the opinion controverted, rests upon what is familiarly known as the Apostolical Succession, it is here that the author has exhibited his chief strength. And were we to say that he has made good his position, it might be regarded as only a judgment expressed in accordance with previously existing prejudices in its favor. But we hope, on the other hand, that none will undertake to condemn it unread. The advocates of High-Churchism, whether Roman or Anglican, are chiefly concerned in the discussion, and possibly they may find in the work something that will moderate their exclusive zeal, and lead them to the exercise of more charity for the opinions of those from whom they differ.'

#### From The Presbyterian.

'MR. EDITOR:—I ask room in your paper to commend this work to the attention of the ministers and intelligent laymen of our Church. If there be any among them who doubt whether a work of this sort was called for, their doubts will not survive the reading of the first Lecture, entitled 'The Necessity for an Exam-

ination into the Prelatical Doctrine of Apostolical Succession.' The discussion, therefore, in which Mr. Smyth has embarked, was provoked by the growing disposition among High-Church Episcopalians, to unchurch the Presbyterian body, and challenge exclusive salvation to the members of churches under Diocesan Bishops. His work is not an attack, but a defence—a defence conducted with great ability and skill. I venture to commend it to the notice of your readers, because I am satisfied they will be instructed and profited by the perusal of it. The lectures are evidently the result of much study, and very extensive research. No single volume I have seen, contains such a mass of authorities and seasonable testimonies, on the Prelatical controversy as this work. It is equally creditable to the author's talents and industry, that he should have found time to prepare, in the midst of his pastoral duties, an octavo of five hundred and fifty pages, on a subject requiring so much study, and involving an examination of several hundred distinct works on either side of the controversy. Such labors ought not to go unrequited; but his brethren will be rendering themselves and the cause of truth a substantial service, by placing it in their libraries; and it is for this reason that their attention is invited to it by one who has no other concern in it than that which is common to every Presbyterian.'

From the New York Observer.

'A formidable volume this is in appearance, and on this very account will repel many who might otherwise be attracted to examine its pages. In a course of twenty-one lectures the author has, with great industry and research, and no mean ability as a controversialist, examined the question before him, and presented, in the compass of a single book, a mass of testimony that must be of value to those whose time and means will not allow them to pursue the investigation through all the original sources, which Mr. Smyth has so perseveringly explored.'

From the Watchman of the South.

'We offer a few general remarks at present, intending at an early day to notice them, or at least that last named, far more fully than we usually do. One thing must strike every one who knows the history of the author of these works. We refer to his industry. Without very firm bodily health, and having a very laborious pastoral charge, he still economizes time sufficient to bring out, through the press, from time to time, important contributions to the cause he loves. This is as it should be. Mr. Smyth is, of course, a growing minister. His influence and usefulness are constantly extending. It is also obvious to any one who reads Mr. Smyth's works, that he has, or has the use of a very good library, and is a man of no mean learning. His works show the importance of ministers' salaries being such as to enable them to 'give themselves to reading.' But Mr. Smyth is not a mere reader. He arranges and uses what he reads. His character as a writer rises every year. Mr. Smyth is also ardently attached to Presbyterianism. Further remarks may be expected in a week or two.'

From the Charleston Courier.

'We would call the attention of all those who profess any regard for the literary character of our southern community, to a work recently published by our esteemed fellow-townsmen, the Rev. Thomas Smyth, entitled 'Lectures on the Apostolical Succession.' Whatever may be the opinion of the intelligent reader on the subjects of which it treats, he will acknowledge it to be a striking example of extensive and profound research, and most diligent investigation. The author appears to have enjoyed some remarkable advantages in the prosecution of his inquiries. Possessing, as he does, one of the best private libraries in this country—probably the most complete in the theological department—he has had access to an immense mass of authorities, not usually within the reach of the American scholar, and his abundant and voluminous references make his book an absolute index for the use of future writers. His industry, indeed, has left but scanty gleanings, as it would appear, for any who may desire to follow him in this discussion. His style is easy and animated, and the interest of the reader is kept up, without flagging, through an octavo of nearly six hundred

pages. We hope the success of this highly creditable effort may be such as to induce the learned and reverend author to complete his task, by giving promptly to the public the second volume of his course, promised in his preface.'

**From the Christian Observer.**

'From a cursory examination of this work, we think it well adapted to accomplish the good purposes for which it is designed. It exposes and refutes the extravagant assumptions of High-Churchmen, who claim to be the successors of the apostles in the ministry, exclusive of all those who reject their views of Prelacy. The work is worthy of a more extended notice, which shall be given at an early day.'

**From the Christian Watchman. (Boston—a Baptist paper.)**

'This volume has lain on our table a considerable time, to enable us to give it such an examination as the subject and the merits of the book demand. The discussion throughout is conducted with candor, impartiality, and kindness; and displays no small share of ability, learning, and diligent research. It is decidedly the most able and thorough vindication of the Presbyterian view of the subject which we have ever seen. The discussion, too, is timely, when Episcopal popery is receiving a new impulse from the Oxford writers, whose sentiments find so much sympathy even in our own land. We commend the book therefore, to the attention of our brethren in the ministry, not as taking in every instance that ground which we, as Baptists and Independents should prefer to see taken, but as an able defence of the truth, and an extensive collection of authorities and facts.'

**From the Christian Examiner and General Review, (Boston,) Nov. 1841.**

'We by no means intend to intimate that the work is ill-timed or superfluous. Such is not our opinion. We believe it will do good. It will meet the new phase of the controversy, and supply what we have no doubt is, in some parts of our country, a pressing want. Even the greatest absurdities, iterated and reiterated in a tone of unblushing confidence, will gain some adherents. Besides, the old treatises on the subject are in a manner inaccessible to the general reader, and will produce a deeper impression, even if it be not more applicable, which in ordinary cases it will be, to the state of the times. The present volume we regard as not only suited to the times, but in itself a production of no trifling merit. It indicates great industry, and no little research on the part of the writer, and its statements appear, from such an examination as we have been able to give it, entitled to confidence. . . . There is an earnestness, good temper and thoroughness which mark the work, which we like, and we can very cordially commend it to the attention of all who feel an interest in the subject.'

**From the Southern Quarterly Review.**

'This is one of the ablest works of theological controversy, that has appeared during the present century, and we are happy to be able to add that it is the production of a Charleston clergyman. . . . We say then, in the outset, that the Presbyterian church has, in our opinion, in the author of the work before us, a powerful champion, who wields a polished pen, and one who seems to be eminently fitted, by his learning, his talents, and his industry, to maintain manfully the cause he has espoused. We have read his book with deep interest, and with great respect for his ability, and the general candor and fairness of his arguments.' [April, 1843; pp 534—537.]

**From the Magnolia, a Literary Magazine and Monthly Review.**

'The Doctrine of Apostolical Succession is here examined in an elaborate course of Lectures, twenty-one in number, by the Rev. Thos. Smyth, Pastor of the Second Presbyterian Church in Charleston. It is not within our province to examine them. We can say nothing, therefore, of the question which Mr. Smyth discusses. No doubt he discusses it ably. He certainly discusses it ear-

nestly. He is ingenious and forcible, and displays a wonderful deal of industry and research. Here now is an octavo of near six hundred pages, brimful of study, and crowded with authorities. We perceive that Mr. Smyth wins the plaudit 'well done,' from numerous high sources, advocating the same doctrine with himself. They seem to think that his argument has done ample justice to his subject; and we may add, so far as we have been able to examine it, that it has been urged in a candid and Christian temper.'

From —, Attorney General in the State of —.

'Your Lectures I read with the highest satisfaction, and take great pleasure in acknowledging the obligations which I think the friends of Christian truth, religious liberty, and I will add, of the pure undefiled gospel, owe to you for them. Your vindication of the Church, by which I mean the humble followers of our Lord, by whatever name called, from the claims of usurped ecclesiastical domination, seems to me to be complete; and whilst you have, in succession, destroyed and dissipated every ground of doubt on the subject, in the minds of the unprejudiced, your extensive and enlightened research and discrimination, have enabled you to furnish an armory, where every one may supply himself with weapons for defence against individual attack. Nor am I less gratified with the candid and charitable tone and temper with which your views are propounded, than with the overwhelming mass of argument and illustration by which they are demonstrated. Your lectures seem to me to have been written in a truly Christian spirit; and if they have been cavilled at on that ground, it can only be because men always feel attacks upon their prejudices to be unkind.'

From the New England Puritan.

'This large octavo, of five hundred and sixty-eight pages, is a highly seasonable offering to the Protestant Churches of our country, and displays an amount of learning, of research, of skill and power in argument, of fertility in illustration, of combined candor and earnestness of spirit, rarely to be met with in any volume either of home or foreign origin. We have not had it in hand long enough to master the whole of its contents—but long enough to be satisfied of its happy adaptation to the sad times on which we have fallen, and of the richness of the treasures it offers to the acceptance of the true friends of Christ. The volume before us, though perfectly calm and candid in its discussions, leaves this matter plain as sunlight. More formidable foes to Christ and his apostles are not to be found amid all the tribes of religious errorists, than those arrayed beneath the banners of Popery and High Churchism. It is to be hoped that our brethren in the ministry will avail themselves of the labors of Mr. Smyth, to become thoroughly acquainted with this imposing form of error, and arm themselves with 'panoply divine' to meet it and confound it, ere it attains the preëminence to which it aspires, and which, unresisted, it will inevitably attain.'

From the Boston Recorder.

'This is truly an elaborate work. Our attention has been but recently called, in a special manner, to its contents, but our highest expectations of the candor and ability of the discussion have been more than satisfied. The object of the author's animadversion is not episcopacy, as such; but the arrogant and exclusive claim of High Churchmen and Romanists to be the *only* true Church of Christ; his *only* real ministers, and the 'only sources of efficacious ordinances and covenanted salvation.' The volume is eminently appropriate to the times, and, if read with a sincere desire for the truth, must, we think, prove an immediate corrective of any tendencies towards the Church of England or of Rome.'

From the Christian World, by the Rev. Mr. Stockton, of the Protestant Methodist Church.

'The Lectures which have led us to these remarks, are a valuable addition to religious literature, and more particularly, the polemical department of it. They number twenty-one, and fill a handsome volume of five hundred and fifty pages. The chief aim of the author has been to test the prelatical doctrine by Scripture,

history, and facts—to exhibit its popish, intolerant, unreasonable, and suicidal character, and to show that it has been condemned by the best authorities. The latter part of the work is devoted to a consideration of Schism, and to a discussion of the true doctrine of Apostolical Succession. The plan covers the whole subject—the execution is well managed. It is bold, but temperate—fearless, but not reckless—a fine specimen of good tactics in a defensive war. As a textbook it is worthy of high commendation, abounding as it does in copious extracts, and presenting the views of all our standard authors. It is a focal point where many rays have been gathered—we had almost said at the risk of good taste—a hive, where many bees had deposited honey. If it be not as eloquent as Mason's Essay on this subject, or as cogent and imaginative as Milton's Tracts on it, we have no hesitation in preferring it to either, for compass, variety, and clear demonstration.'

#### From the American Biblical Repository.

'This well filled octavo volume has come into our hands. Its leading subjects, as indicated in the title-page, are of sufficient importance to demand a thorough discussion; and we agree with our author in the belief that the time has come when such a discussion is necessary for the proper vindication of the rights and duties of the great body of the Protestant ministry and churches, against the assumptions of a portion of their own number, who take common ground with Romanists in excluding from the pale of communion in the 'holy, catholic, and apostolic church,' all who dissent from their doctrine of 'exclusive apostolic succession.' These assumptions are not only found in many of the old and standard divines of the Church of England, but have been of late zealously put forth in the Oxford 'Tracts for the Times,' have been avowed by English and American bishops, and by a great number of the Episcopal clergy of both countries; and the assurance with which they are urged in many recent publications, calls for a patient and thorough examination of the arguments advanced in their support. Such is the work undertaken by our author. The topics of the twenty-one Lectures comprised in this volume, are as follows, etc. These subjects are discussed with great earnestness and strength; and the ample and numerous authorities by which his statements and reasonings are confirmed, show that the author has spared no labor, and dispensed with no available aid, in his investigations. As far as we have examined them, they appear to us thorough and satisfactory, and we cordially commend the work to the diligent study of our readers.'

#### From the Rev. Samuel H. Cox, D. D. Extract from a Letter.

'REV. AND DEAR SIR:—Though personally unknown to you, yet have I been so pleased with your Lectures on the Apostolical Succession, that I thought it but fair to tell you of it. . . . I believe you are doing a protestant and a christian work; and while I regret some incidental differences of another kind between us, I am happy to assure you of my God-speed, and of my prayers for a blessing on your labors.'

#### From the Rev. Dr. Lamson.

Dr. Lamson in his Lecture on the Uses of Ecclesiastical History, (Christian Examiner, Sept. 1842, p. 12,) in alluding to the claims of prelacy, and the doctrine of Apostolical Succession, says: 'It has been found necessary to take the field, and already a goodly sized octavo, manifesting no little industry and research, has appeared, printed in this city, though written by a Presbyterian of the South, in refutation of these, as we are accustomed to consider, perfectly absurd and obsolete claims.'

#### From the Protestant and Herald.

After speaking of the author's Ecclesiastical Catechism, a writer in this paper says: 'He had before prepared us for such a treat, by favoring the *Protestant Church* with a profound, learned, and eloquent argument on 'the Apostolic Succession,' utterly refuting the exclusive and inflated claims of all High Churchmen, or *'china men,'* as they have been appropriately styled in the Biblical Repository

Of this production of his, I have the means of knowing, that *the venerable champion in the cause*, has privately declared 'that Mr. Smyth has quoted books in the controversy, which he had never had the privilege of seeing, and which were even rare in Europe.'

From the Honorable Mitchell King, of Charleston, S. C.

'REV. AND DEAR SIR:— You have done a lasting service to the Presbyterian Church, by the publication of your work on the Prelatical Doctrine of the Apostolical Succession. The question which you there discuss has assumed in our times a renewed importance, from the efforts recently made to claim for particular bodies of Christians an exclusive right to the benefits of that covenant of grace, which Christ came to make with all true believers. This question was, as you and I believe, long ago settled by the thorough investigations and conclusive arguments of men worthy, if mortal men can be worthy, of the great cause in which they were engaged; who were influenced solely by the love of truth, and followed that, wherever it might lead them, without regard to merely human authority; and many of whom sealed their testimony with their blood. These times have passed away. But earnest endeavors have been lately made, to shake the confidence of many Christians in the principles of their fathers, and to overthrow their faith in that Church which we believe to be founded on the words of everlasting life. Your work, therefore, I consider as most seasonable and valuable, as reviving and spreading the knowledge of the fundamental truths on which our Church rests. It contains a fuller review of the reasonings and authorities on this subject, than any other work with which I am acquainted, and will, I am persuaded, henceforth be an armory in which the defenders of Presbyterianism can find weapons of proof ready prepared for them. That you may go forward in the course which you have so honorably begun, and that the Great Head of the Church may follow your labors with his rich blessing, is the earnest prayer of, Rev'd and Dear Sir, yours very truly,

M. KING.

From the Rev. John Bachman, D. D., of the German Lutheran Church, Charleston, S. C.

'MY DEAR SIR:— To my mind your Lectures on the Apostolical Succession covers the whole ground, and is, without exception, the most triumphant vindication of our views on this subject, that I have ever read. I regard the work as the most valuable contribution that has ever been made to the Southern Church.'

The Prelatical Doctrine of the Apostolical Succession Examined, and the Protestant Ministry Defended against the Assumptions of Popery and High Churchism, in a series of Lectures. By THOMAS SMYTH, Pastor of the 2nd Presbyterian Church, Charleston, &c.

This is not a work to be disposed of in a mere *critical notice*. It deserves, as we propose in our next number to give it, a more ample consideration.

The volume is one of the first fruits of the controversy in America. Mr. Smyth, with whom we became acquainted a few years ago, through the medium of his admirable "Ecclesiastical Catechism of the Presbyterian Church," was roused to study the controversy by the hierarchical assumptions, the arrogant bigotry, the anathematizing intolerance, and the proselyting zeal, universally manifested by his Prelatic countrymen. Unestablished though the Prelatic sect in America be, republican as are all its members in profession, at least, the arrogance, intolerance, and pride, of the Anglian church are there displayed in as hyperbolic and bloated a form as even Laud himself ever put forth. Prelacy, in fact, account for it as you will, has demonstrated in every page of its history, that it is as great an enemy to charity, as destructive of brotherly love and peace, and as inconsistent with liberty of conscience or toleration, as Popery itself. Jealous of the attitude assumed by this sect, and zealous for the faith once delivered to the saints, Mr. Smyth was induced to examine the basis upon which such lofty pretensions are supposed to rest; and the present volume is the first fruits of his labors. The work has been already most favorably received, not only among Presbyterians, but also among all other Protestant denominations in America, and is decidedly the best manual of the Prelatic controversy in its present phase, we have had an opportunity of consulting.

AN  
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OF THE  
PRESBYTERIAN CHURCH,

For the use of Bible Classes, Families, and Private Members.

THIRD EDITION, MUCH IMPROVED.

*This work has been submitted to the revision of the REV. SAMUEL MILLER, D. D. and many others, and is now published, as approved by them, and with their emendations.*

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**CRITICAL NOTICES.**

**Overture adopted by the Synod of S. Carolina and Geo. at its session in 1841.**

That the publication of works intended to advocate the distinctive order and polity of our Church should be encouraged, and their circulation among our people rendered as general as possible; and it having come to the knowledge of this Synod, that one of their number, the Rev. Thomas Smyth, of Charleston, has recently given to the Church, among other valuable publications, 'An Ecclesiastical Catechism of the Presbyterian Church, for the use of Families, Bible Classes, and Private Members,'—and a series of Lectures on 'The Prelatical Doctrine of Apostolical Succession Examined, and the Protestant Ministry Defended against the Assumptions of Popery and High Churchism.' Therefore, *Resolved*, That the Synod of South Carolina and Georgia regard with pleasure and approbation these publications, as containing an able defence of the divine authority of the Protestant Ministry, and a full and satisfactory exposition of the order and government of our Church; and as demanded by the present state of the controversy on these subjects. And the Synod does, therefore, cordially recommend the said publications to all our Ministers, Elders, and private members, as works of high value, and calculated to advance the intelligence of our Church, on our distinctive peculiarities and doctrines.

**From the Biblical Repertory, for January, 1841.**

Mr. Smyth must be regarded as among the most efficient and active authors in the Presbyterian Church. His valuable work on the 'Apostolical Succession,' reviewed in a preceding part of this number, is a monument of his reading and industry, which has been extensively acknowledged. The 'Ecclesiastical Catechism' before us, is another present to the Church with which Mr. Smyth is connected, which we think adapted to be universally esteemed, and highly useful. It is, as all such manuals ought to be, brief, comprehensive, simple, adapted to weak capacities, and yet sufficiently instructive to gratify the most intelligent minds. The Scriptural quotations to illustrate and establish the principles he lays down, are perhaps, in some cases, unnecessarily numerous, and in a few instances, of questionable application. But it is on the whole so well executed, and possesses so much solid merit, that we hope it may be extensively circulated and used.

**From the Rev. Geo. Howe, D. D., Professor in the Theological Seminary of the Synod of South Carolina and Georgia.**

'The design and the execution are excellent. It contains a more complete explanation of the order and government of our Church, than I have ever before seen in so small a compass. I think it admirably adapted to the purposes for which it was designed, and could wish to see it in every Presbyterian family, and studied by all our young people, as an appendix to the doctrinal catechisms.'

**From The Presbyterian.**

'We have received a neat and well-printed little volume of one hundred and twenty-four pages, entitled 'An Ecclesiastical Catechism of the Presbyterian Church, for the use of Families, Bible Classes, and Private Members:' by Rev. Thomas Smyth, Pastor of the Second Presbyterian Church, Charleston, S. C., into which the author has compressed a large amount of very valuable matter, explanatory and illustrative of Church order, and which we regard as particularly serviceable at the present time, as supplying a desideratum in the education of Presbyterian youth. Although the author modestly remarks, that his Catechism is an *attempt* rather than an actual *accomplishment* of all that he believes to be demanded by the necessities of the Church, yet from the attention we have been able to bestow on it, we should regard the execution of the attempt as highly creditable, and we believe the book to be deserving of an immediate adoption in the instruction of the youth of our Church.'

**From the Christian Intelligencer, of the Reformed Dutch Church, N. Y.**

'The members of the Presbyterian Church should possess a full and satisfactory acquaintance with the principles of Presbyterian government, polity, and worship. This little volume is exceedingly well adapted to aid in gaining this acquaintance, and is suited for general and popular use. While industrious efforts are employed by other denominations in opposition to these principles, it is highly important and desirable that a popular manual, in elucidation and vindication of their creeds, as is provided in this volume, should be circulated. The following are the subjects of the chapters, each of which contains several sections, or subdivisions — I. The Church. II. Governments of the Church. III. Officers of the Church. IV. Courts of the Church. V. Power of the Church. VI. Fellowship of the Church. VII. Relation of the Presbyterian Church to other denominations. The catechetical form of the work, and the copious scripture-references and authorities, adapt it to the use of instruction. Such a volume as this was needed; and we feel indebted to Mr. Smyth for the preparation of it, as we deem it, in matter and manner, meeting the desideratum required.'

**From the Charleston Observer.**

'Of the first edition of this work we spoke in terms of commendation. But this is a very considerable improvement, not only in the style in which it is gotten up — for it is very neatly printed and bound — but in the arrangement and matter. It supplies a place that is needed, and yet it is issued merely as an *attempt* to furnish the Church with a brief compend of her worship and polity. As a denomination, we have been remiss in the duty of letting the principles and polity of our Church be generally known. Many of our own members need information on this subject, that they may be established in the truth and order of the house of God. And information is needed also by others, to correct the erroneous impressions respecting it, which have been designedly or undesignedly made upon their minds. The work deserves general circulation.'

**From the New York Observer.**

'The preparation of this little work was the result of a suggestion by Rev. Dr. Miller, of Princeton; and in it the author has presented the peculiar features of the form of Government in the Presbyterian Church, in questions and answers, and in simple language, that the sentiments inculcated may be readily learned and remembered by the young.'



## From the Protestant and Herald.

'MR. EDITOR:—During the past winter, the Female Bible Class of my pastoral charge, have memorized *'The Ecclesiastical Catechism,'* prepared by the Rev. Thomas Smyth, of Charleston, South Carolina. I make this statement in your columns, in order to excite and secure the attention of your readers to the utility and value of that little volume. The ladies have manifested an unusual degree of delight and enthusiasm in their recitations. The result has been, if I mistake not, 'a full and comprehensive acquaintance with the principles of the worship and polity of our Church.' Such was the hope of its worthy and able author in the preparation of his book. The proof-texts are generally printed at length in the Catechism. Without attempting an analysis of this book, allow me to urge Pastors, and Ruling Elders, and Deacons, and Sunday School Teachers in our Churches, to procure this interesting and attractive and cheap compend of Church order, and inductrate their families and pupils into these cherished principles of our denomination. Are we not, as a body of people, quite remiss in this high duty? Let the standard-bearers in our host, bestir themselves as they ought, to circulate this work, as a Presbyterian Sabbath School book, and make it, if you please, what it deserves to be, next to our Larger and Shorter Catechism—a *Presbyterian classic* in all our family instructions.'

## From the Magnolia, a Literary Magazine and Monthly Review.

'This little volume was meant for, and is acknowledged to have supplied a want, among the members of the Presbyterian Church. It is a copious compilation, containing a large amount of religious information, and we take for granted, that, among the class of Christians for whose use it was prepared, it is far superior to any thing of the sort which had ever been offered them before. It shows industry, reading, and analysis.'

## From the American Biblical Repository.

'This little volume is issued by the same publishers as the preceding work, by the same author. It is a well-digested system of questions and answers on the Church, its government,—its officers,—its courts,—its powers,—its fellowship, and the relation of the Presbyterian Church to other denominations. It is a useful manual for Presbyterians, and may be instructive to others.'

**An Ecclesiastical Catechism of the Presbyterian Church; for the use of Families and private members. By THOMAS SMYTH, Pastor of the 2nd Presbyterian Church, Charleston, 1841.**

This is one of the fullest ecclesiastical catechisms we have seen, forming a small volume of 124 pages, and traversing the whole subject of which it treats very minutely, yet with conciseness and brevity. These small works are most necessary in the present day: and the augmenting demand for them shows that the mind of the nation is rapidly turning towards the investigation of those points which have been so sadly neglected, and to the neglect of which we must attribute much of the ignorance that has of late years been displayed in matters ecclesiastical, during the mighty controversy which the disruption of last May brought to so magnificent, yet so calamitous a close. This catechism has not, we believe, been republished in this country, but ere long we trust it will come into extensive circulation, both to instruct the faithful adherents of the Free Church of Scotland, and to counteract the Erastian and Prelatic leaven which is working so fatally in many quarters.

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