

SOUTHERN PRESBYTERIAN REVIEW.

NUMBER I.

JUNE, 1848.

ARTICLE I.

THE ELDER QUESTION.

THE CHRISTIAN PASTOR, *one of the Ascension Gifts of Christ.* By ROBERT J. BRECKINRIDGE, D. D. *To which are added by way of Appendix, Presbyterian Government not a Hierarchy, but a Commonwealth; and Presbyterian Ordination not a Charm, but an Act of Government.* By the same Author. Baltimore. 1845.

In our review of Dr. Breckinridge's Sermon, we were conducted, by the natural order of the subject, to the vexed questions which are elaborately discussed in the speeches before us. Our limits did not allow us to give them then the prominence and attention which their magnitude and importance demanded. We accordingly reserved the remarks which we had excogitated upon them to another opportunity, when we proposed to subject the speeches to an analysis similar to that to which we had subjected the Sermon. The convenient season has now arrived—and we undertake to redeem the pledge which was implicitly given in our former article, though many of our readers would, perhaps, prefer that the whole subject should be blotted—the sooner, the better—from the memory of man. We cannot indulge their humour. These great questions ought to be discussed; and we feel that we are only acting in obedience to the hallowed principles on which truth rallies her friends to her cause, and wisdom is justified of all her

children, when we present our feeble contribution upon the same altar on which Dr. Breckinridge, in the speeches before us, has offered his gifts. All that we ask is a patient hearing. And if we shall be able to add nothing to the defence of our doctrines, we hope that we shall detract nothing from the spirit of the Gospel.

The precise issue which is involved in the Quorum question, the subject of Dr. Breckinridge's first speech, has not been distinctly apprehended by all who have written or spoken upon the subject.* The General Assembly of 1843, decided "that any three Ministers of a Presbytery, being regularly convened, are a quorum competent to the transaction of all business agreeably to the provision contained in the Form of Government, ch. x., §7."† The same principles of interpretation which exclude elders from the quorum of a Presbytery will exclude them also from the quorum of a Synod, or of the General Assembly — so that it seems to be the doctrine of our highest judicatory, that every Court, above the Church Session, may be lawfully constituted and proceed to any and to every kind of business without the presence of Ruling Elders.

Dr. Breckinridge, on the other hand, maintains, that according to the fundamental principles of our government, "no Assembly of the Church, whether it be Congregational, Classical, or Synodical, can be regularly, legally, or completely constituted, without the presence of Ruling Elders, as members thereof."‡ The question, therefore, is, not whether elders, in the strict and proper acceptance of the term, are *essential* to the *being* of a Presbytery or Synod, so that these Courts could, under no circumstances exist, or perform any valid ecclesiastical acts without them, but whether any such Courts can be "*regularly, legally, or completely* constituted without their presence as members thereof." As ministers, properly ordained, are Presbyters, and as a Presbytery is essentially a College of Presbyters, it hardly admits of argument that a Presbytery *may* be composed exclusively of ministers. And upon the same

* There was much confusion in the minds of the speakers on both sides in the General Assembly of 1843, if we may judge from the printed Reports of the Debates.

† See Minutes of the Assembly of 1843, p. 196.

‡ See first speech, Presbyterian Government, &c. p. 12, closing minute.

principle, as Ruling Elders, according to our system and the Scriptures, are Presbyters, and a Presbytery is nothing but a College of Presbyters, it is equally obvious that a true Presbytery may be composed exclusively of Ruling Elders. Each of these partial bodies is *essentially* a Presbytery, and each, under extraordinary circumstances, may exercise the powers of a Court of Jesus Christ. The occasional Councils of New England, which ordain and instal Pastors in their charges, are temporary Presbyteries; and though we do not regard them as scriptural, regular or complete, yet their proceedings are not to be invalidated, because they have retained the *essence* of the court. In an unsettled or formative condition of the Church, Presbyterial acts may, from the necessity of the case, be performed by Assemblies defective in their elements, excluding either ministers or elders. And yet these acts, though irregular and inconsistent with the order of a settled Constitution, are not to be despised as void. For upwards of four years after its formation, the First Presbytery of the Secession Church of Scotland, the Presbytery of Erskine, Fisher, Moncrieff and Wilson, consisted of none but ministers.* No churches had withdrawn from the Establishment, and these venerable men felt themselves justified, from the extraordinary circumstances of their case, in introducing anomalies which their historian confesses to be departures from Presbyterian practice. A Presbytery, without churches to govern, or sessions to be represented, is certainly irregular; and yet who would vitiate the acts by which the foundations of the purest church in Scotland were laid? When the question therefore is, what *constitutes* the *essence* of a Presbytery, what *must* be found that any body may be entitled to the distinction of this name, the answer obviously is, neither *ministers* nor *elders*, but simply *Presbyters*, irrespective of the classes to which they belong. But to affirm, that because a Court, consisting exclusively of ministers, may be essentially a Presbytery, therefore, in a settled church-state, such Courts are to be treated as legitimate and proper, carries no more force than to affirm that, because a Court consisting exclusively of elders may be essentially a Presbytery, therefore such

* M'Kerrow's History of the Secession Church of Scotland, vol. 1, p. 224.

Courts are also to be treated as legitimate and regular. The question is not what *makes* a Presbytery, absolutely considered, under any and under all circumstances—that, without which it could not possibly exist nor discharge the least ecclesiastical function, but what is *the* Presbytery to which, in a settled state of its affairs, Christ has committed the government of His Church, the Presbytery defined in our standards and essential to the adequate operation of our system. The question, in other words, is, under what circumstances a convention of Presbyters, according to the principles of our government, which are also the principles of the word of God, becomes not simply a Presbytery, but a *legitimate, regular, complete* Presbytery. The doctrine of the Assembly is, that any *three ministers* regularly convened—convened in conformity with the provisions of the Constitution, are a *lawful* Presbytery, and according to our system of government, competent to the transaction of all Presbyterial business. The doctrine of Dr. Breckinridge is, that though it may be a Presbytery, yet such a convention is not “a regular, legal or complete Presbytery.” This we apprehend to be the precise state of the controversy.

To say that the General Assembly has not decided that three ministers regularly convened are *not a lawful Presbytery*, but only the *quorum* of a Presbytery, is a verbal evasion which is nothing worth. “Quorum,” says Bouvier, in his law dictionary, “used substantively, signifies the number of persons belonging to a legislative assembly, a corporation, society, or other body, required to transact business.”* The word is strictly Latin, the genitive plural of a pronoun, and came into use as a common noun in our language, from a clause in the second branch of the commission of the peace accustomed to be issued by the crown of England, in which the powers of justices, when assembled in sessions, are created and defined. “We have also,” is the clause in question—“we have also assigned to you, and every two or more of you, of *whom* (QUORUM) any one of you, the aforesaid A. B. C. D., &c, we will shall be one, our justices,” &c.† And the sessions cannot be held without the presence of two justices at least. This number con-

*S. V. Quorum, vol. 2, p. 322.

† Penny Cyclopædia, vol. 21, under the word Sessions.

stitutes the Court, and is as truly and really such as if every justice were present. The quorum of a Presbytery is therefore the Presbytery which the law, under the circumstances of the case, has created and defined. It is the number of persons which is necessary to organize the Court and to do the business which appropriately belongs to it, and is as truly and really and lawfully the Court, as if every member were present. If a quorum only should meet at the time and place appointed, its proceedings would be recorded as the proceedings of the *Presbytery*—its acts would be reviewed as the acts of the *Presbytery*, and no one would refer to it in any other terms than as the meeting of the *Presbytery*. This point Dr. Breckinridge has set in a very clear light:

“What sir, is a *quorum*? Gentlemen talk and write, as if it were a fifth court of the church; or rather a sort of sub-court to every Church Assembly. If ruling elders are essential to the composition of a Presbytery, and a quorum of a Presbytery is actually and potentially a Presbytery; then by the terms of the proposition, Ruling Elders are essential to the formation of this quorum. If a quorum of a Presbytery is not a Presbytery, actually constituted and competent to proceed to business—then to assert that it can do all the business of a Presbytery—is utterly absurd and self-contradictory; or else it is the erection of a new court, which can do all the business of a Presbytery, without being a Presbytery—which is contrary to common sense, to the Constitution, and to the Scriptures. And yet, sir, it is upon quibbles and evasions like this, that men having a character in the church, are content to rest the defence of acts and principles subversive of the order of God’s house! It ought to be, and I suppose is, well known to the members of this court, that many law processes take their names from the first or other prominent words in them. Thus we say, *habeas corpus*, *capias ad satisfaciendum*, *fieri facias*, *venditioni exponas*, *venire facias*, &c. &c.; designating by these terms writs in common use and well understood. Such is the origin of our use of the word *quorum*; the king by his writ appoints certain persons to particular duties or offices, of which persons (*quorum*) he specifies in his warrant, certain individuals or a certain number as competent to act, or required to be present. The rule of common sense, and universal practice, in the absence of any such specific provision, in regard to deliberative bodies at least, necessarily is *lex majoris partis*—the law of the greater number; less than the majority not being, in the eye of reason, the body itself, and the majority being

capable of determining the question, even where all are present."—Presbyterian Government, &c. p. 6.

With this explanation of the meaning of quorum, the real point in dispute is evidently, as we have stated, whether in a settled church state, or under the operation of our own system, a Classical or Synodical Assembly can ever be *lawfully, regularly, completely* constituted without the presence of Ruling Elders. This question may appear to be very minute; but as Dr. Breckinridge properly observes, "in point of fact the ultimate principle involved is one of the most important and comprehensive that could be submitted to the people of God. In deciding it, we virtually decide; whether our Church Constitution establishes a government under which the final power and the actual authority are in the hands of preachers as preachers, or of the body of the Christian people to be exercised through officers regularly connected with them; and as we confess that our Constitution derives its binding force from its accordance with the word of God, the question at last is, between a divine hierarchy and a divine commonwealth."* This is indeed a "question whose fearful scope is manifest upon every page of the history of Christianity;" and if, as Dr. Breckinridge affirms, it be directly or indirectly involved in the apparently insignificant decisions of the General Assembly upon the quorum of a Presbytery, they are any thing but agitators and needless disturbers of the church, who are trying to rouse attention to the magnitude of the interests at stake.

The speech of Dr. Breckinridge may be divided into three parts. In the first, he considers the distinctive principles of our system, and shows that they are directly contradicted by the decision of the Assembly; in the second, he refutes the arguments by which the resolution of the Assembly has been defended; and in the third, he proves that the whole question is a *res adjudicata*, having been long ago determined, not only by the church from which we have copied most largely in the preparation of our own forms and Constitution, but also by our own church itself in the memorable transactions of 1837.† We need not

* First Speech, Presbyterian Government, &c. p. 3.

† The first part extends from p. 3 to p. 5. The second from p. 5 to p. 9; and the last from p. 9 to the conclusion—the whole speech occupying 12 pages, closely printed with very small type in double column.

say that upon all these points his arguments seem to us to be clear, conclusive and irresistible. The speech, taken as a whole, is the best treatise, within the same compass, upon the peculiar features of Presbyterian church government with which we are acquainted. Its tone is manly, earnest and energetic; and there are parts in which it is distinguished by that high and elevated eloquence which can only be attained when the language uttered is the spontaneous dictate of the heart. That such a speech could have been delivered by a man, concealing purposes of low and paltry ambition, under the garb of zeal for the glory of God and the purity of His church, can only be maintained by those, who can see no difficulty in ascribing the pathos and simplicity of Judah, when pleading for Benjamin arraigned before Joseph, to affectation and pretence. The language of the heart cannot be mistaken—when truth and nature speak there is a mysterious power in the tones which widely distinguishes them from the finest efforts of art and study.

As a specimen of what we mean, we give the peroration of the first speech, which, it seems to us, must, upon every unsophisticated mind, produce the impression, that however mistaken he may be in his opinions, Dr. Breckinridge is a man of God, solemnly intent upon the great end of his calling, and occupies a position of moral grandeur even in the midst of his errors. If there be any who can read the passage without sympathy or emotion, we envy them neither their hearts nor understandings:

“For my part, there is but one course which I can adopt. It does not satisfy my conscience, to be told that the construction which is to work this destructive change, was adopted by a great majority of the Assembly; that it is approved by the leading men and institutions of the church; that learned civilians pronounce it correct; that foreign ministers have been consulted and have acceded to it. It does not deter me, to be threatened with the pains of an incendiary, and the penalties of a church disturber. It does not remove from my path one ray of light, nor shake in my heart one firm resolve, to have predicted defeat and threatened ignominy set before me in the most distinct and appalling forms. I have borne much in the service of this church; I am willing to endure more. I have stood for the truth, when fewer stood by me, than I can count to-day. Make this cause as desperate as you please, as degraded as you can; make the dan-

ger to me and to the church as imminent as the most confident of those against me can desire—or the most timid of those with me can dread ; and still I will take the risk, and meet the peril. When the army of the king of Babylon beleaguered Jerusalem, the very prophet who in the face of death itself and with the brand of a traitor upon him for his fidelity, denounced the doom of the wicked city, paid down in the very courts of his prison, the price of the field that was in Anathoth, and subscribed the evidence, and called witnesses, and with all precision and formality redeemed the spot, it may be, on which the victorious army of the Chaldeans was encamped : for he knew that houses, and fields, and vineyards would be possessed again in the land of Israel. Sir, I will take courage from this sublime example. Let this Synod say the church is not a free commonwealth established of God, but is a hierarchy—which my soul abhors ; and I will meekly, I trust, but yet resolutely deny that the Synod utters God's truth. Let the great institutions which rule the church—and the great men who conspire with them—assert with one accord, that we are a hierarchy and not a free commonwealth ; and I will still lift up my humble voice against their loud and unanimous cry. Let the General Assembly of the church, if such be the will of God, angry at us for our sins, adjudge for a hierarchy and against a commonwealth ; and while I must respect even the errors of that venerable court, I will set my poor name against its adjudication, and let posterity decide betwixt us. Let the Ruling Elders themselves, overborne by the clamor or seduced by the caresses of the ministers, prove insensible to their calling and negligent of the sacred trust reposed in them by God and God's blood-bought people ; and even this fearful apostacy shall not shake my immoveable purpose, to defend the spiritual freedom of the church, while there remains one inch of ground on which I can plant myself. For surely I trust in God that this sudden, amazing and wide-spread stupor which has seized the officers of the church, and blinded them to the true character of our institutions, and under whose baleful influence a line of conduct and a course of observation so remarkable have been adopted in this Synod and elsewhere, cannot be perpetuated ; and that sooner or later the church must return to her ancient landmarks, the distinguishing and vital principles of her polity."—Presbyterian Government, &c. p. 12.

As we shall not have occasion to refer again to that part of Dr. Breckinridge's speech in which he illustrates the current of previous decisions, we shall present it to our

readers in his own words. Prescription, it is confessed, never amounts to more than a presumption, and is strong or weak, according to the wisdom, integrity and learning of the party on which it ultimately rests, and the intelligence and freedom of those who have subsequently acquiesced in its authority. The natural effect of it is to throw the burden of proof upon those who desire to introduce a change. As the wisdom and experience of the past are, in some sort, pledged to established institutions, established customs, and established opinions, it is rashness to assail them unless they are obviously contradictory to reason, propriety and truth. But still, what has been done has not necessarily been well done; and hoary error is not, like the hoary head, to be treated with veneration. Novelty, on the other hand, is only a presumption against a proposition, weak or strong, according to the likelihood of its previous discovery, upon the supposition of its truth. Opinions are not to be condemned simply because they are new, but the burden of proof falls upon their authors—neither are they to be received simply because they are old, truth and falsehood resting upon higher grounds than naked presumptions. The weight which is due to the precedents industriously collected and clearly presented by Dr. Breckinridge, the reader may determine for himself, one thing being certain, that the charge of innovation upon which so many changes have been rung, lies not against him, however violently the contrary has been asserted, but against the Assembly of 1843.

“I will now, sir, advance a step further, and show that the act of the last Assembly is contrary to the clear and well settled construction of the law of the case—that it is directly contradictory of the established construction of our own and of the Scottish constitutions upon this important subject. The whole matter is *res adjudicata*, and the decision of our last Assembly is as completely aside from the whole current of decisions, as I have shown it to be of fundamental principles. According to the settled law of the Scottish church, every church court in which ruling elders do not sit, is illegal, and all its acts are null. *Stewart of Pardovan* declares that neither the constitution of the church nor the law of the land, in Scotland—“do authorize any other ecclesiastical judicatory but Assemblies, Synods, Presbyteries, and Kirk Sessions, or their committees, consisting of ministers and ruling

elders;" that no "ecclesiastical judicatory, or committee thereof, can be lawful" "without *consisting of both ministers and elders*;" and he expresses a doubt whether the State would recognize or correspond with any bodies, not thus composed."* The Assembly of 1638, the most memorable except that of 1843, that ever met in Scotland, annulled, as utterly illegal, no less than six preceding, and as they called them "pretended Assemblies;" to wit, those of 1606, 1608, 1610, 1616, 1617, and 1618. Amongst the reasons assigned for this immense stretch of authority, in five out of six cases, one reason is that there were no ruling elders in these Assemblies; in some, none being lawfully commissioned, in others, none lawfully sent.† The Assembly of the following year in an elaborate statement, entitled "Causes and Remedie of the by-gone evils of this Kirk," addressed to the king, assign as the fifth cause of past troubles, the six fore-cited Assemblies, which they pronounce to have been corrupt, null, and unlawful—amongst other chief reasons, because they were "called and constitute quite contrary to the order, constitution, and uninterrupted practice of the church ever since the reformation, by all which ruling elders did rightly constitute a part of lawful General Assemblies."‡ The law, as laid down by Pardovan, extends even to commissions and committees of the church courts; which differ from each other in this, that the former may examine *and conclude*, while the latter can only examine *and report*; and I have discovered a very curious fact strongly illustrative of the subject now before us in which the Commission of the Scottish Assembly of 1643, in appointing a special commission of itself, had its attention directed to the very principles for which I now contend, and fully recognised them in one of the most interesting acts, and in its issues one of the most important, ever performed by a church court. It was on the occasion of appointing the Scotch Commissioners to the Westminster Assembly. Baillie, who was one of them, tells us, that he moved in the meeting of the Commission of the Assembly, that some elders should be placed on the Commission about to be sent to Westminster; but, he adds, "I gott not a man to second me; yet the absurditie and danger of such ane omission pressing my mind, I drew up reasons for my judgement, which I communicat to Argyle and Warristone; and when they had lyked the motion, I went so about it, that at the next meeting, it was carried without opposition."§

* Collections, p. 68, Book i., tit. 15, sec. 29.

† Printed Acts of Scottish Assemblies, p. 8-14; Pardovan, p. 57, Book i., tit. 15, sec. 1.

‡ Printed Acts, p. 75, Assembly of 1639.

§ Baillie's Letters and Journals, vol. ii., p. 55, Edinburgh, 1841.

These "reasons," more fortunate and effectual than reasons usually are, have come down to us, and are worthy still to be pondered. The one which is immediately pertinent to my present argument is in these words: "4. The excluding of Ruling Elders from a Commissione of this nature, *may call in question the validity of the Commissione; may hazard the approbatione of it by the next General Assemblie; may give just offence to all Ruling Elders; may make all the actions of these ministers more unpleasant, and of lesse authoritie with the bodie of any nation.*"* The result was the recognition of the universality of the principle, that Ruling Elders must regularly be members of all assemblies whose constituent parts are Preaching and Ruling Elders, and even of all commissions and sub-commissions of them, whether general or special; and three Ruling Elders, the Earl of Cassalis, Lord John Maitland, and Johnstoun of Waristoun, were united with the ministers Henderson, Douglas, Rutherford, Baillie, and Gillespie, as commissioners on the part of the Kirk of Scotland to the Westminster Assembly. All this is the more remarkable, when we compare the phraseology of the Scottish Standards with that of our own, and the construction of the language with the construction adopted by our late Assembly. In the printed Acts of the Scotch Assemblies, I have before me repeated acts of the successive assemblies from 1638 to 1649, appointing their standing "Commissione for the public affairs of this Kirk." These acts name first a large number of ministers, then a large number of ruling elders, who are directed to meet on a day certain at a place fixed, and afterwards "as they shall think good;" and then "gives and grants unto them, *or any fifteen of them, there being twelve ministers present*, full power and commission, &c."† Here is a case far stronger for the exclusion of elders, who are not even named as a part of the quorum, than can be produced out of our Standards; and yet of such cases as this, Pardovan asserts that unless elders are present the commission is illegal;‡ and Baillie informs us, that in this identical commission of which he was a member, so many ministers, "*and three elders made a quorum.*"|| In regard to the quorum of Presbytery, the case is even more striking; for "to perform any classical act of government or ordination there shall be present, *at least, a major part of the ministers of the whole classis,*" says Pardovan; and yet, says the same authority, this very Presby-

* Baillie's Letters and Journals, vol. ii., p. 479.

† Printed Acts for 1643, p. 209; see also pp. 147, 223, 318, 361, 434, &c. for the commissions of other years, where the same phraseology is used.

‡ Collections, p. 68.

|| Letters and Journals, vol. ii., p. 97.

tery is illegal, unless ruling elders be also present.* That is, by the Scottish Standards, in the quorum of a Presbytery there must be at least the major part of all the ministers of the body—nothing being said, in this relation, of elders; but seeing it is a fundamental principle of the whole system that elders enter into the composition of every court—they are, upon that principle, held to be indispensable here, and are so adjudged to be. But our Standards fully recognize and assert the same general principle, and moreover particularly name elders in the special clause about a quorum, as members presumed to be present; and yet our Assembly concludes that they need not be present at all! The state-church of monarchical Scotland, with rules less manifestly clear for the rights of the especial representatives of the Christian people, declared steadfastly and clearly for those rights, ages ago; while the free church of republican America, with every general principle and every special enactment of its constitution, strongly and manifestly for those high and important rights—decides even at a time like this, earnestly, yea indignantly against them; nay, a storm is raised against the presumption of vindicating what are stigmatized as Brownists, radical and revolutionary doctrines, and even many of the elders themselves are amongst the very foremost in destroying their own sacred liberties! Surely these things are calculated to arrest the public attention, and to create a profound anxiety in the minds of all those who know how difficult it is to preserve the purity of free institutions, and to maintain the spiritual liberties of mankind.

This extraordinary decision of our General Assembly, and the violent efforts made to uphold it as just and wise, are the more surprising, when it is remembered that it is contrary to former decisions of our church. From the earliest period of this church in America, the *Collections of Pardon* have been its rule of discipline, and the general principles therein embodied recognised as essentially our own;† and that work was made the basis of a portion of our present standards when they were compiled.‡ Although, therefore, it may have been true, in the forming and unsettled state of the church, and especially, amid the difficulties created by a bloody and protracted national struggle for freedom, in which our whole church embarked with the country, as one man; that occasional departures from strict rule were unavoidable; yet these irregularities could do little harm so long as the law remained unaltered and clear against them, and the

* Compare Book i., title xiii., sec. 1, p. 44, with tit. xv., sec. 59, p. 68.

† See printed Minutes of the Presbyterian Church, p. 519.

‡ Idem., p. 535.

sentiment of the church was right—as the places I have cited clearly prove it was, up to the period when our present standards were compiled, fifty-five years ago. Upon the law of those standards, as written, I have already spoken fully. That law, as expounded, presents little or nothing to countenance, and a mass of proof against the interpretation of the last Assembly. Even the early and monstrous violation of the constitution by the formation of the *Plan of Union* of 1801, so far respected reason and truth that no pretension was made that the contemplated arrangements were either regular, constitutional, or permanent. That plan as it relates to the present question, virtually abolished the office of ruling elder; and if there is one point upon which this church has pronounced an irreversible judgment, it is that that plan was utterly null and void from the hour of its inception up to the declaration of that nullity thirty-six years afterwards, by the Assembly of 1837. It is true the controversy which resulted in this decision, involved other questions of doctrine, and questions of practice, as well as questions of church order; and I am ready to admit that in all my efforts, and no man made more, to reform the church at that period, the question of order was never considered by me the paramount question. But the fact is recorded palpably and beyond denial upon all the proceedings of that period, civil and ecclesiastical, that the controversy was settled mainly on the point of church order. There were great irregularities and there were great heresies no doubt, to be removed; but these could not make the *Plan of Union* unconstitutional—they could only make it improper. But the Assembly of 1837 annulled that plan as unconstitutional, and then declared the four Synods out of our connexion for the reason that they were illegally constituted and illegally continued, by and under that void Plan. In what respect, sir? Why, sir, the churches, the Presbyteries, and the Synods were declared to be not Presbyterian mainly upon the very point this day involved. They had no ruling elders and therefore were not Presbyterian. And whoever will carefully study the acts of the Assembly of 1837—its answers to protests—its official letters—the whole current of its proceedings, will find the stress of the whole question laid upon church order, and the hinge of the whole case, in the question debated before you this day. Upon this ground, more than upon any other, it was triumphantly carried through that great Assembly, through the church at large, and through the civil tribunals of the country. Sir, I was an actor in all those scenes. I have personal knowledge of what I assert. The records of the church and of the country bear me out in what I say. And I

now tell you—I tell the church—I tell posterity, that if the decision of the Assembly of 1843 is law, the decisions of the Assembly of 1837 are not law. If it is law that ministers without charge make a Presbytery, a Synod, and an Assembly—for the decision covers all this, then it was illegal, it was monstrous, to separate four entire Synods from the church, upon the pretence that even ministers with charge cannot, without the presence of ruling elders, constitute church courts which can constitutionally belong to this church. They might deserve, upon other grounds, to be separated from us; but it could not be true, that for this defect they never were with us, or of us, if this defect is no defect. It is vain to say, the disowned Synods had no elders appointed in any of their churches; the fact is otherwise—there were elders, more or less, in many churches; and as it regards the Presbyteries and Synods, the fact of presence, not the fact of existence, is the sole fact in the case. For my part, sir, I stand by the reform of 1837—by its principles, and by its acts. I pronounce the decision of 1843, a counter revolution; and I unhesitatingly denounce it, as at once compromising the character of the church, subverting the fundamental principles of its polity, prostrating the rights of the elders, and endangering the spiritual freedom of the people.”—p. 10-11.

I. Our first argument against the decision of the Assembly is, that IT CONTRADICTS THE WHOLE ANALOGY OF PRESBYTERIAN POLITY. It is common to assert that our government is a Commonwealth, but with few exceptions, those who have written upon the subject, have failed to enter into the full meaning of the truth. As a political system, Presbyterianism has always been in advance of the age; and it is only in recent times, under the plastic hand of modern refinement and civilization, that some of its characteristic principles, embodying a deep political philosophy, have developed their power and found their way into the constitutions and governments of States. It is a noble panegyric which Milton pronounces upon a free Commonwealth, that it “is not only held by wisest men in all ages, the noblest, the manliest, the equalest, the justest government, the most agreeable to all due liberty and proportioned equality, both human, civil and Christian, most cherishing to virtue and true religion, but also (I may say it with greatest probability) plainly commended, or rather enjoined by our Saviour himself, to all Chris-

tians, not without remarkable disallowance and the brand of gentilism upon kingship."* But when we proceed to enquire what are the securities which a Commonwealth presents, that the great purposes of government—justice, liberty, safety and protection—shall be adequately answered, the scheme of Milton must be pronounced to be grossly defective. "The happiness of a nation," says he, in developing his plan, "must needs be firmest and certainest *in full and free council of their own electing*, where no single person but reason only sways."† The same doctrine is repeated in another passage of the same admirable treatise: "For the ground and basis of every just and free government (since men have smarted so oft for committing all to one person) is *a general council of ablest men, chosen by the people* to consult of public affairs, from time to time, for the common good."‡ This great council, however, was to be a permanent assembly—even the dependence on the people which the system of partial rotation would create—analagous to that which obtains in the Senate of the United States, is condemned by him as having too much affinity with the wheel of fortune.§ It is a strange inconsistency that he should make the principle of representation the cardinal principle of a Commonwealth, to which it is indebted for all its excellence, and from which it becomes "the noblest, the manliest, the equalest, the justest government, the most agreeable to all due liberty and proportioned equality," and yet enervate the whole virtue of the system by corrupting his body of representatives into an elective oligarchy. The attention of this great man was so much absorbed in the evils of monarchy and a hereditary peerage, that in his anxiety to avoid them, he overlooked the arrangements which experience shows to be essential to the efficacy and perfection of representative assemblies. His speculations were directed rather to the circumstances which would give skill, readiness and competency to the rulers than to limitations and restraints upon the exercise of their power and the tendency which power always has to corrupt its

* Prose Works—The Ready and Easy Way to Establish a Free Commonwealth. Royal octavo edition, by Ball. London. p. 444.

† Ibid, p. 445.

‡ Ibid, p. 446.

§ Ibid, p. 446.

possessors. He indulged in the glowing vision of an immortal commonwealth, rich in the experience of ages and generations, and losing nothing from the death of its Senators, as the main body would continue permanent and unimpaired. His council was to be both foundation and main pillar of the State, and secure and immoveable as foundations and pillars behove to be.*

But while we condemn Milton's views in reference to the mode of applying the representative principle, he clearly perceived upon what its peculiar value depends. Its excellence, as he suggests in a passage already quoted, consists in the probability which it furnishes that reason only shall sway; the danger of democracy is from the passions and the ignorance of the people—the danger of monarchy from the caprices, the tyranny and the ambition of the king—and the danger of an oligarchy from the selfishness incident to privileged orders. *Reason*, whose voice is the will of God, is much more likely to prevail in a deliberative assembly composed of men, who, coming from the people, know their interests, their desires and their fears; and whose measures are adopted under a full sense of the responsibility incurred. The great problem of political philosophy, is to devise a constitution which shall give the amplest security for individual rights—the amplest scope for the developement of man's nature in all its important relations—which shall approximate most nearly in all its purposes and plans to the true, the just, the good. In other words, a constitution which should provide in every case that only *reason* should prevail would, as Milton intimates, be absolutely perfect. It is a great mistake to suppose that the end of government is to accomplish the will of the people. The state is a divine ordinance, a social institute, founded on the principle of justice, and it has great moral purposes to subserve, in relation to which the constitution of its government may be pronounced good or bad. The will of the people should be done only when the people will what is right. The representative principle is a check upon their power—an expedient to restrain what would otherwise be an intolerable despotism within the limits of an authority which they are bound to respect—

* Prose Works—The Ready and Easy Way to Establish a Free Commonwealth, p. 446.

the authority of right.* There is no misapprehension more dangerous than that which confounds representative government with the essential principle of a pure democracy. It is not a contrivance to adapt the exercise of supreme power on the part of the people to extensive territory or abundant population—to meet the physical impediments which in large states must obviously exist to the collection of their citizens in one vast assembly. It is not because the people *cannot* meet, but because they *ought* not to meet, that the representative council, in modern times, is preferred to the ancient convocations in the forum or the market place.† Power has a natural tendency to settle into despotism; and the legitimate ends of the State may be as completely defeated by the absolute power of the people, in the absence of proper checks and restraints, as by the absolute power of a single ruler. Absolute power is tyranny, whether in the hands of large masses, of privileged orders, or of single individuals; and a government which aspires to be free, has made but slender advances, when it has only changed the seat of authority. The representative principle is accordingly to be prized, not as an approximation to a pure democracy, but as an independent institution, having its own peculiar advantages, not the least of which is to guard against the evils incident to popular masses.‡ The hin-

* See Lieber's Political Ethics, vol. 1, Book II., §§113-114. We make the following extract: "Here then we find the great principle of a representative government, even in a democratic republic. It is not because the people are too numerous, and cannot any longer assemble in the market, as in the ancient republics, that representative governments are advisable, or have become necessary, merely by way of expediting business, but it is on the very same principle that a monarch, who interferes himself and does not leave matters to their proper authorities, even in absolute monarchies, is considered to act despotically; that the people, if they hold the supreme power, must not act themselves, but ought to act through agents. He who has power, absolute and direct, abuses it; man's frailty is too great; man is not made for absolute power."

† "We, the people," says Dr. Lieber, "are not absent from the legislative halls, because, for local reasons, we cannot be there, but because we ought not to be there as people, as mass, for the same reason, that in monarchies the king is not allowed to be present in the halls of justice, or as the legislators cannot debate in the presence of the monarch."—Political Ethics, vol. 2, Book VI., §8.

‡ For a masterly exhibition of the real nature and advantages of Representative Government, see Lieber's Political Ethics, vol. 2, Book VI.,—from §6 to the close of the first chapter. Compare also Brougham's Political Philosophy, vol. 3, chap. 8.

derances which, in the one case, exist to the discovery of truth are, in the other, removed. It is an expedient to secure the ends of government without the inconveniences to which every other institution is subject. Its assemblies are essentially deliberative, and its processes are correspondingly cautious.

That a government may secure, in the largest degree, the prosperity and happiness of the people, two conditions seem to be essential. An accurate knowledge of their circumstances and wants, and a fixed purpose to aim at the collective interests of the whole. The representative plan fulfils both conditions—the first by entrusting the election of representatives to small communities, so that each portion of the country may possess an organ to express its own wishes and desires—the second by making each representative, while he is the organ of a narrow section, the representative, at the same time, of the whole State. The wants of all are made known, and by wise and free discussion, the measures which ought to be adopted to promote the interests of the whole, are likely to be elicited. As the excellence of representative assemblies consist in the probabilities they furnish, that the legitimate purposes of the State shall be the objects of government, and that the measures adopted shall be those which reason approves—it is obvious that the perfection of the system will be increased by imposing checks upon these assemblies themselves, and raising barriers within them against the impulse and excitement into which even Senates are sometimes betrayed.*

* The following remarks of Lord Brougham are commended to the attention of the reader.—*Political Philosophy*, vol. 3, chap. 13, p. 99. London edition.

“We have seen how important a security against the mischiefs of popular assemblies is afforded by the representative principle. But this is not sufficient; for the assembly of the representatives themselves, though in a much less degree, subject to the same risks of misdecision from ignorance, deception, passion. Therefore the supreme power, even when entrusted to representatives, must, for the safety of the people, and for the same reasons which require the delegation, be exercised in a certain fixed manner and under certain material restraints, voluntarily imposed, and which may be varied at any time, if found inconsistent with freedom and with popular rights.

The three principal checks upon rash and erroneous decisions are therefore these—delay interposed between any proposition and its final adoption; the requirement that it be submitted to more than one body of

Accordingly, the freest modern States have adopted the principle of *two chambers*, composed of different persons, belonging to different classes, or elected for different terms of service. This is a vast improvement upon the single council of Milton. It gives to the representative system the fairest scope for its legitimate exercise, and provides the strongest security which the wit of man can devise against the violence of party, the predominance of passion, selfishness, or local interests, and the tyranny of unscrupulous majorities. In modern times, no one would regard a government as completely representative, whose legislature was confined to a *single* chamber. The irregular influences to which pure democracies are subject, would be likely to enter so largely into it, that it could not be consistently denominated, according to the conception of Milton—a free commonwealth.

The introduction of two chambers, is perhaps as great an improvement upon the representative principle, as the representative principle itself, upon that of deputies in the middle ages. The one is the offspring of the progress of society, as independent communities and petty principalities and estates became fused into the national mass and imbued with a national life—the other is the offspring of the spirit of liberty, seeking its firmest protection in the moral restraints which reason and truth, and reason and truth alone impose.*

This description of a Commonwealth in the State is an exact picture, in its essential features, of Presbyterian government in the church. The very principles which the progress of modern society has developed, and which constitute the glory of modern politics, were found embedded in the Presbyterian system, ages before a representative republic, in the true sense of the term, existed upon earth. The ecclesiastical platform of the Scriptures embraced those very doctrines of political philosophy through which nations are now rising to greatness—ancient dynasties are falling into ruins, and liberty is beaming on the world.

popular representatives; and the independence of the bodies entrusted by the people, within reasonable limits, consistent with their being responsible."

* For the distinction between deputies and representatives, see Lieber's *Political Ethics*, vol. 2, Book VI., chap. 2; Brougham's *Political Philosophy*, vol. 3, chap. 6.

The first characteristic principle of our system is, as Dr. Breckinridge largely proves,* that the government of the church is not in the hands of individual officers, nor yet in the hands of the mass of the people, but in the hands of officers chosen by the people, judicially convened—in other words, the cardinal principle of our polity is the government of the church by free representative assemblies. This distinguishes us from prelacy on the one hand and independency on the other. Other denominations may agree with us in rejecting a distinction of orders in the ministry of the word, but if they entrust jurisdiction and discipline to single Presbyters, excluding Parochial, Classical and Synodical Assemblies, they can not consistently be called Presbyterian. Ours is a government, not by *Presbyters*, but by *Presbyteries*; and if we deny that such assemblies are essential to our system, we deny, at the same time, that our system is a commonwealth.

In the next place, in the composition of our Assemblies, the same principle is embodied which has led free States, in the constitution of their Legislatures, to introduce two chambers. As the end in human governments is to promote the objects of the State, the representative system is adopted as being the most likely to reach the verdict of truth and reason. The Legislature must know the wants, the necessities, the desires of the people—and hence representatives are *chosen*, and chosen from comparatively small sections, that the condition of the whole country may be adequately known; but as the interests of the whole society are supreme, as right and justice are the highest expediency, each representative, while he makes known the wants and exigencies of those who have immediately sent him, is bound to act for the collective community, and to do what under the circumstances of the case his constituents *ought to* desire. To guard more effectually against the supremacy of will, and to preserve the supremacy of right, the representative principle checks itself against the dangers to which all assemblies are exposed, and diminishes the chances, in multiplying councils, of the irregular influences of passion, interest and party.

In the government of the church, as the Assemblies

* Presbyterian Government, &c. p. 3-4.

which exercise jurisdiction and authority are *judicial* as well as deliberative—are *courts* as well as councils—and therefore very frequently required to act as an unit, it would be a cumbersome arrangement to have two houses, but the end is accomplished in two classes of representatives, and the relations to each other of the bodies which they constitute. The Ministers are a check upon the Elders, and the Elders are a check upon the Ministers, and the higher are checks upon the lower courts. The object of the check is to promote the discovery of truth by bringing different views and different modes of thought into collision—by securing the certainty of a full and free discussion—and diminishing the probability that party interest or temporary prejudices shall predominate in the result. Its efficacy does not depend upon the mode in which the representatives are chosen, nor the term of service which they are required to fulfil—these are only circumstances which the Constitutions of States have defined as likely to secure that variety of opinion and that discrepancy of feeling which are essential to adequate deliberation. They are signs of the check, but not the check itself. When a council is composed of those whose previous education, whose daily habits, whose employments and pursuits—whose prejudices and feelings—whose associations and opinions are widely different, though they may all sustain the same relation to their constituents, and hold their office by the same tenure and for the same length of time, still the spirit of what Lord Brougham* denominates a perfect check, is unquestionably preserved—and this is preëminently the case in Presbyterian Courts. A government exclusively in the hands of the clergy is fraught with dangers to them and to the people, against which all ecclesiastical history is a solemn warning; and although as long as the ministers were truly chosen, their assemblies would be enough to give the church the form of a commonwealth, the spirit of liberty would soon depart. The possession of power would produce its natural effects; the clergy would aspire to be a privileged class, and the people would soon lose the significance and importance which the legitimate operation of our system attaches to them.†

* Political Philosophy, vol. 2, chap. 2, p. 13.

† The following reasoning of Dr. Miller against committing the govern-

On the other hand, a government exclusively in the hands of the Elders would lean too much to popular will. Mingling habitually with the people, and identified with them in their relations and interests, their habits and associations, the Elders might be disposed to regard themselves as mere deputies, and to aim at local and sectional advantages, rather than the good of the whole church. Ministers, on the other hand, trained to habits of retirement and study, and accustomed to meditate upon abstract principles and general truths, while they furnish precisely the sort of check which the inconveniences of a government of Elders seem to demand, create a danger against which, in turn, Elders are the only adequate security. But with our double representation, ecclesiastical despotism and popular

ment of single churches exclusively to pastors, applies as strongly to the government of the whole by councils of pastors. The class and the individual will be distinguished by similar tendencies. "But, even if it were reasonable or possible that a pastor should, alone, perform all these duties, ought he to be willing to *undertake* them; or ought the church to be willing to *commit* them to him *alone*? We know that ministers are subject to the same frailties and imperfections with other men. We know, too, that a love of preëminence and of power is not only natural to them, in common with others; but that this principle, very early after the days of the Apostles, began to manifest itself as the reigning sin of ecclesiastics, and produced, first Prelacy, and afterwards Popery, which has so long and so ignobly enslaved the church of Christ. Does not this plainly show the folly and danger of yielding undefined power to pastors alone? Is it wise or safe to constitute one man a despot over a whole church? Is it proper to intrust to a single individual the weighty and complicated work of inspecting, trying, judging, admitting, condemning, excluding, and restoring without control? Ought the members of a church to consent that all their rights and privileges in reference to Christian communion, should be subject to the will of a single man, as his partiality, kindness, and favoritism, on the one hand; or his caprice, prejudice, or passion, on the other, might dictate? Such a mode of conducting the government of the church, to say nothing of its unscriptural character, is, in the highest degree, unreasonable and dangerous. It can hardly fail to exert an influence of the most injurious character, both on the clergy and laity. It tends to nurture in the former, a spirit of selfishness, pride, and ambition; and instead of ministers of holiness, love and mercy, to transform them into ecclesiastical tyrants. While its tendency, with regard to the *latter*, is gradually to beget in them a blind, implicit submission to clerical domination. The ecclesiastical encroachments and despotism of former times, already alluded to, read us a most instructive lesson on this subject. The fact is, committing the whole government of the church to the hands of pastors alone, may be affirmed to carry in it some of the worst seeds of Popery; which, though under the administration of good men, they may not at once lead to palpable mischief, will seldom fail of producing, in the end, the most serious evils, both to those who govern, and those who obey."—Miller on Ruling Elders, chap. 8, p. 176. Edition of 1831.

passion are equally discouraged.* Local and sectional interests are not disregarded—the voice of the people is heard—but the checks and balances of the system are so nicely adjusted, that the strongest probability is furnished which any conceivable arrangement, dependent for its execution upon fallible men, can give, that the voice of Christ shall be supreme in all our courts. We cannot, therefore, attach too much importance to the office of Ruling Elder in its relation to our church courts. Upon it the security of our liberties mainly depends; it is the principal means, under God, of making the church not only a commonwealth, but

* Anderson, in his defence of Presbyterian Church Government, has taken a similar view of the case, though the relation of ministers to their people is not that of princes to their subjects.

“And indeed the wisdom of our Lord, and his care of his church, is very much seen in the institution. For, as he has appointed ministers, that the faith of the church may be kept sound; and deacons, that the wants of her poor members might be supplied; so he has appointed Ruling Elders to oversee the manners and outward conversation of Christians, that they be such as become the Gospel. Besides, by this constitution the discipline is the more willingly submitted to by the people, being exercised by persons chosen from among themselves, appointed to represent them, to take care of their interest, and that they may have no reason to complain of the rigour or severity of the ministers. To illustrate this a little from the constitution of the civil government: Princes, ordinarily, live in state, see nothing but coaches and six, fine rooms and full tables; nor does any body appear before them but in his Sunday's clothes. All this is very necessary and reasonable, yet it leaves them very much unacquainted with the condition of the country; nor can they have other than a very faint sense of the pressures and calamities their people may be groaning under: And were the legislature solely in their hands, they could hardly escape being blamed for every thing the people might think a grievance. But now, when a parliament meets once a year, the prince gets the condition of the people in the most remote corners of the kingdoms represented; and the people cannot but be satisfied, when they consider they are governed by no other laws, nor burdened with other taxes, than what were asked and enacted with their own consent; or, which is the same thing, by representatives of their own choosing. Just so, ministers through their retired course of life, are ordinarily very much strangers to the way of the world, and are ready to measure the world by the abstract notions they have gathered out of books, or from their own solitary musings, which do not always suit with the practical part of life. Hence, it comes to pass, that, till age and experience have mellowed them, they are apt to have too much keenness on their spirits, and to express too much rigour in their actings. But Ruling Elders are more conversant in the world, know better what the times will bear, and what allowances are necessary to be made in this or that case. Now when the people (in the case of scandal) see themselves judged by such persons, and that there is no other discipline exercised on them, but what even their own neighbours, as well as their ministers, think reasonable, they can have no just cause of complaint.”—p. 209-10. Edinburgh. 1820.

a *free* commonwealth, the “ noblest, manliest, justest, equal-est” government on earth.

The combination of these two principles, the government of the church by representative assemblies and the double representation which obtains in them, may be styled the *analogy* of our system; and whatever is inconsistent with either of them, though there may exist no positive statute to forbid it, is inconsistent with our Constitution. The argument against it is of the same sort as that which convicts of heresy any method of justification, though not specifically condemned in the Bible, which comes into collision with the righteousness of faith—or which brands with reprobation any species of conduct, though not expressly rebuked in the Scriptures, which is contrary to the spirit and temper of the Gospel. It is enough, in the one case, to say that the new doctrine contradicts the analogy of faith; and in the other, the new practice, the analogy of holiness; and upon the same principle, whatever is repugnant to a government of courts, composed of two classes of representatives, contradicts the analogy of Presbyterianism. Our standards contemplate the full developement of the representative system, with all its checks and securities. It aims at the execution of the law of Christ, in its application to the varying circumstances and exigencies of His people; and they have provided equally that the law shall be expounded without the prejudices incident to a mass, or the dangers incident to a class: they have accordingly prescribed Assemblies, in conformity with the word of God, in which the desires of the people shall be known, without being permitted to be supreme. Double representation is the safe-guard of our system, and so completely pervades all its arrangements, that it is with manifest reluctance even sessions are permitted to be constituted without the presence of a minister.* But the Assembly has decided that in Classical and Synodical Assemblies, one class of the representatives described in our Standards may be wanting, and yet the law be preserved. It tells us that our Courts of Review and Control, may be constituted, and regularly constituted, without the presence of the Ruling Elder—that our representative system is unimpaired when one of its material elements

* Form of Government, chap. 9, §4.

is removed. As well might a State-Legislature undertake to enact laws without the presence of one of the chambers. Our system contemplates Ministers *and* Ruling Elders in every superior Judicatory. The Assembly declares that the Elders may be dispensed with. If there be not a contradiction here to the whole analogy of our government, we are incapable of determining what that analogy is. If there be not a mutilation of the perfection and symmetry of our scheme, we have mistaken the grounds on which its value and excellence depend.

In the constitution of our courts with two classes of representatives, we have given the world an example of the operation of a principle, the application of which, in the government of States, is justly regarded as the boast of modern civilization, and yet we are suddenly infatuated to trample our priceless jewel in the dust as a thing of nought. The Presbyterianism which the Assembly has sanctioned is a maimed and partial thing—as different from that of our Standards, and the Standards of all the Presbyterian churches, as a statue is different from a man. The form of a commonwealth may exist under it, and will continue to exist, as long as the Ministers are pastors—but the vitality is gone—the arteries of the body become withered and dried, the very moment Ruling Elders, fresh from the people—with feelings, habits and interests which identify them with their constituents—are removed from our courts. We cannot but think that it is a rash and ill-considered resolution which would impart the whole power of the Presbytery, under any circumstances ever likely to happen in a settled church-state, to three ministers; and yet this has been done by the General Assembly of the freest church in the world. We have been gravely told, that since a Presbytery is left to us no violence is done to the law. As well might the people of South Carolina, or any other free State in which the Legislature, consisting of two chambers, receives the general name of Assembly, be induced to believe that the acts of a single branch, passed and ratified in the absence of the other, were constitutional and binding, because they were passed by a body which was a real and true Assembly. An Assembly it might be, but it was not the Assembly which the fundamental laws of the State contemplate; and so this thing of three minis-

ters may be a Presbytery, but it is not *the* Presbytery of the American standards.*

This then is our first argument—the resolution of the Assembly contradicts the whole analogy of our government—it mars the perfection of our representative system—it removes one of its most important securities, and leaves the church in the hands of rulers, who are least acquainted with the details of its interests and strongly tempted, in the absence of salutary checks, to pursue abstractions or to exalt themselves into a privileged class. It is remarkable, too, that the officers whose presence is rendered unnecessary, are precisely the officers whose sole business it is to rule. We have appointed them in conformity with the word of God for a particular department of duty, and then gravely declare that this department can be conducted legally and properly without them. There is an inconsistency in such proceedings; violence is done to our standards, and no majorities can make it right.

When we consider the multitude of ministers without charge, the facility of increasing their number, and the lax discipline which permits them to exercise the full power of Scriptural bishops, the danger seems to us more than imaginary, which threatens the balance of our system, when Elders are treated as comparatively unimportant. Though valuable at all times, they are particularly needed, when Senators are admitted to our councils who have never been chosen by the people, except upon a principle which Brougham pronounces to be inconsistent with representative government—the principle that the Presbyteries are virtually electors in the case, and that their choice is putatively the choice of the church.† It is a wise maxim to resist the beginnings of evil. To give the clergy the power

* The Constitution of our Courts has been supposed to be analogous to the Constitution of the British House of Lords, which consists of the spiritual and temporal Peers. But the analogy fails in a very material point. The organization of our Assemblies should be compared, not to that of a single house—but to the Constitution of the Parliament—the *whole* legislative Assembly. Each Court with us is a *complete* judicial Assembly, and must therefore be compared to corresponding Assemblies only *as they are complete*. If the British Legislature could be constituted, without the Lords, by the Commons alone, or, without the Commons, by the Lords alone, then the analogy would hold, and Presbyteries might be constituted without Ruling Elders.

† Political Philosophy, vol. 3, chap. 9, p. 63.

of multiplying their own number, according to their own discretion, is to present a temptation which should not, without inevitable necessity, be offered to fallen humanity, to exercise irresponsible authority, and to seek the elevation of an order, rather than the general interests of the universal church. The danger might be slow in its development, but it is the undeniable experience of the world, that power unchecked tends to abuse, and will ultimately corrupt the sincerest men. We can dispense with none of the securities for the liberties of Christ's people; least of all with that which has placed our system, in every age of its existence, immeasurably beyond the standard of earthly politics; and which, in proportion to their approximations to it, has rendered States free, prosperous and happy. To dispense with Elders in the Assemblies of the church, is to sever the chords which bind the hearts of our people to their government, and to prepare the way for converting a free, vigorous and healthful commonwealth into a sacred aristocracy. We should pause on the threshold. Perpetual vigilance is the price of liberty; and the recorded experience of the past abundantly proves, that from the slightest and most insignificant beginnings, stupendous results have proceeded. We are far from supposing that there exists, among any, a deliberate design to destroy the liberties of the people, or to degrade the Eldership, or to corrupt the Ministry, or to effect any radical change in our system. We cast no imputation upon the motives of those who concurred in the resolution of the General Assembly; but their purposes are one thing, and the tendency of their measures another. And, as we believe before God that they have established a doctrine which may be pushed, in coming generations, to consequences which we shudder to contemplate, we feel bound in conscience to resist the evil in its birth. The direct increase of power is less dangerous, because less insidious, than the removal of a salutary check.

The forms of ancient despotism may never again be revived, but there is an evil worse than tyranny, which may be produced by alienating the affections and confidence of the great body of the people from the persons of their rulers. The Church or State which is reduced to this deplorable condition, is without strength or energy; like the body, when the nerves have lost their power and the vital func-

tions their tone. There is a public opinion of society, not to be confounded with momentary impulses or the impetuous dictates of temporary passion, which lies at the basis of all efficient, healthful, successful government. In this the laws find their strongest sanction, and no institutions can be permanently safe which contradict or fail to receive a cordial response from the sentiments of those who are immediately affected. The public opinion of the church must be consulted by its rulers; and while they should hold themselves above the paltry influences of popular clamour or popular whim, they should earnestly seek to understand the under-current of feeling and thought which pervades, animates, strengthens and consolidates the whole body of God's children. There are chords of sympathy which they must touch, if they would make their government a living, effective reality. This cannot be done without some adequate representation on the part of the people. It deserves, therefore, to be considered whether, if our Assemblies should continue to be held and the outward forms of our present government observed, the system could be preserved in life, energy and tone, when Ruling Elders shall have lost their interest in the department to which they are specially called. When they depart from our courts, the sympathies of the people will depart with them. A calamity so portentous should render us cautious how we trifle with measures which may have even a remote tendency to disturb the relations of the people to their rulers, and to arrest the free circulation of opinion through all the veins and arteries of the ecclesiastical body.

In every view of the case, therefore, the resolution of the Assembly seems to us to be dangerous. It is a violation of the spirit of our system, against which expediency as loudly remonstrates as the sacred voice of law.

II. Our second argument, which turns upon the same general principle with the first, is drawn from the fact that the simple question concerning the expediency or fitness of calling a special meeting of the Presbytery cannot be determined, according to a positive provision of law, by *all the Ministers together, without the concurrence of two Ruling Elders*, belonging to different congregations.* This

* Form of Government, chap. 10, §10.

consideration was urged in the Assemblies of 1843 and 1844, both in the debates and protests of those who dissented from the opinions of the majority, and in the able speech before us. To our minds it possesses great force. Whatever reason may be assigned for the introduction of the clause which contains the law, it will apply as strongly to the Constitution of the Presbytery as to the preliminary point whether it shall be constituted at all at a given time and place. If the object were to guard against rash and inconsiderate meetings, it seems a little unreasonable to assert that Ministers have not prudence to be trusted with the subject of the convention of a Presbytery, while they have all the wisdom which is necessary to transact all its business. To say that the object was to guard against the possibility of meetings without the knowledge of most of the members of the Court, is to overlook the provision which requires that adequate notice shall be given to every minister and church. Why then has the clause been inserted? Most evidently to preserve the cardinal principle of our system, the principle of double representation.

There are two aspects in which this clause may be deemed to be decisive of the point in dispute. In the first place, it furnishes an argument from the less to the greater—*ex minus probabili ad magis*—a species of reasoning which, in the ordinary affairs of life, is regarded as conclusive. If so slight a matter as the expediency and propriety of a special meeting of the body cannot be decided without the concurrence of *both classes* of representatives—if *all the Ministers together*, however distinguished by learning, piety and prudence, cannot even *determine* to meet without the approbation of the Elders—it violates all the measures of probability to affirm, that the Constitution, which has guarded, checked and restrained them in relation to a point comparatively unimportant, has yet given them plenary powers in relation to the very thing which makes a meeting important or unimportant, the business to be done. There is something ludicrous in declaring, in one breath, that they are incompetent to say whether a meeting ought to be held or not, and then affirming in the next, that they are fully competent to conduct the weightiest affairs in the kingdom of God. What is it but a paradox to assert that three Ministers, when regularly convened, are Presbyte-

rially omnipotent, and yet that these three ministers are insufficient to call a meeting of the body which they themselves can make! They can constitute the body in fact, but they cannot *agree* to do it.

In the next place, the resolution of the Assembly renders it possible that Presbyteries shall be organized, which under the Constitution, shall not be possessed of the power to call a special meeting—a state of things which our fathers evidently never contemplated. The doctrine is that three Ministers, whether with or without charge, may constitute a Presbytery; and, as in the present state of our affairs, it is a lamentably easy matter to find places and districts which, though destitute of churches, contain the requisite number of ordained men, it is possible, under this new law, to organize Presbyteries without Christian people to be governed or Sessions to be represented. Whatever can make a quorum can make a Presbytery; and if Elders were not indispensable to the one, the other can exist without them. But how shall these churchless Presbyteries call a special or extraordinary meeting? The law requires the concurrence of two Elders, but these Elders they have not got. Here, then, is a singular anomaly; and the *possibility* of such a case under the regular operation of our system, is enough to condemn the law which renders it conceivable. “It is the settled doctrine of our church and of all other reformed churches,” as Dr. Breckinridge truly remarks,* “that the right to convene in Church Assemblies, both stated and pro re nata, is Divine, inherent, and absolutely independent of the civil power;” and hence our standards never could have contemplated the existence of a body which, by their own provisions, is deprived of this right.

III. As there is a positive presumption arising from the general analogy of our system and the spirit of a particular provision of our law against the decision of the Assembly, clear and overwhelming evidence would seem to be demanded in order to justify it. This presumption is increased by the consideration that, in the absence of an express provision to the contrary, no quorum, according to the ordinary principles which regulate the case, *could* be formed

* Presbyterian Government, &c. p. 6.

without the presence of a Ruling Elder. In all cases in which an act is to be done by a definite number of persons, "a majority," according to Bouvier, "is required to constitute a quorum, unless the law expressly directs that another number may make one."* It is evident that, according to the letter of our standards, a majority never could be obtained exclusively of Ruling Elders. That they should be deprived of a privilege which, independently of positive law, they would obviously possess, and deprived in contradiction to the whole genius of the constitution, is an improbability so violent, that nothing short of very clear and unanswerable proof ought to be deemed sufficient to remove it. Now the only semblance of proof is found in the language of the Constitution pleaded by the Assembly itself—"that any three ministers and as many elders as may be present belonging to the Presbytery, being met at the time and place appointed, shall be a quorum, competent to proceed to business."† The question is, whether the terms—*and as many elders as may be present belonging to the Presbytery*—so obviously extend to the case in which *no* Elders shall be present, that they cannot be fairly and legitimately construed upon any other hypothesis. It is not a question whether they *may* include this case, but whether they *must* include it. Unless the interpretation of the Assembly is necessary and irresistible, another ought to be adopted, which shall reconcile the language with the general current of the law. Does the phraseology then, according to its natural, simple, inevitable import contemplate the *absence* of elders or not? If we may credit Dr. Rice,‡ this form of expression was selected to obviate the difficulty of those, who, in the absence of such a provision, might be tempted to doubt the legality of a meeting in which the elders out-numbered the ministers. It is certain that under any probable operation of our system, this is a case which may often happen; and if it were indeed the object of our fathers to meet this specific case, it is evident that they not only contemplated the presence of elders, but the presence of *more* elders than ministers. Under this view, the lan-

* Law Dictionary, vol. 2, s. v. Quorum.

† Form of Government, chap. 10, §7.

‡ See his speech in the Assembly of 1844, reported in the Protestant and Herald of June 20, 1844.

guage is a prohibition to Elders to organize the Presbytery, without the presence of at least three ministers; it is a restriction in favour of the ministers, and implies a state of things precisely the opposite of that which the Assembly has inferred from it. We are told by the Assembly of 1844,* that the object was to provide for all the contingencies that might occur, which are accordingly reduced to four—the case when no ruling elders are present—when the number of ministers exceeds that of ruling elders—when the numbers are equal, and when the elders exceed the ministers. That the rule extends to the last three cases we cheerfully concede—but that it includes the first, rests upon nothing but naked, unsupported authority. The whole question is a question of interpretation, and the object is to arrive at the idea in the minds of those who framed the Constitution when they adopted this particular language. Were or were they not thinking of the case in which no elders should be present? We can determine the point only by reference to instances in which similar phraseology, adopted under analogous circumstances, has a clear and undisputed meaning. We are free to confess that examples may be produced in which these or equivalent expressions, *independently interpreted*, will bear the sense which is defended in the present clause. But then, the instances are not precisely analogous. In the case before us, there is an antecedent presumption against the interpretation in question. This throws the burden of proof upon those who make it, and they are required to produce examples in which, against the pressure of a similar presumption, like phraseology has a like meaning to that for which they contend. Now this we believe to be impossible; and as all admit that the disputed clause provides for cases in which elders *are* present, in whatever numbers, the absence of proof that it provides for any other contingency, is conclusive on the point. We can call to mind no instances which will justify the decision of the Assembly, but we can conceive of those which are precisely against it. If a master had ordered a portion of his servants to go to a particular place—as our standards require elders to be present at Presbyteries—and then should subsequently command three

* See Minutes, p. 387.

others and as many as might be at the specified place, to execute a given task, would his language imply, would it be the idea in his mind, that there might, after all, be no servants there? Our fathers have drawn a constitution under whose provisions it is always likely that there shall be more elders than ministers at Presbytery; and yet in framing a clause which confessedly implies the *presence* of elders, we are gravely told that their *absence* is the prominent point contemplated. The interpretation of the Assembly is evidently not a necessary one—and accordingly upon the true principles of the case, ought not to be received. The meaning of the law should be drawn, not from verbal technicalities, nor from strained and arbitrary inferences, but from a candid comparison of its letter with the whole spirit and genius of the Constitution. The doctrine of the Assembly requires something more to support it than the naked possibility that the words *may* mean what they have been interpreted to teach. They *must* mean it, or the doctrine is tacitly condemned. If they are capable of *any* explanation, consistent with the analogy of our system, the laws of sound criticism demand that this explanation should be adopted. It seems to us preposterous to affirm, that because the clause, which contains the definition of a quorum, may, when independently interpreted, suggest the inference that the presence of elders is not essential, this inference is to be taken as the true meaning of the passage in gross contempt of the fundamental principles of the instrument in conformity with which the quorum is permitted to act. We have yet to learn that what logicians are accustomed to denominate a fallacy—the argumentum a posse ad esse—from possibility to fact—is yet so sound as to bear the weight of tremendous innovations upon an established constitution, and to justify what would seem to unsophisticated minds, the guilt of depriving rulers of their rights.

The second speech of Dr. Breckinridge—to which it is time we should advert—is devoted to the question, whether or not, Ruling Elders, when members of Presbytery, are entitled to lay on hands in the ordination of ministers of the word. The Assembly of 1843 had decided, that neither the constitution nor the practice of the church gave them

* Printed Minutes, p. 183.

any such authority*—and the Assembly of 1844, in re-affirming the decision, has pronounced ordination to be a “rite,” and has treated it simply as “*a declaratory ministerial act.*”† The point in dispute, therefore, involves the very nature of ordination—and in the different stages of the controversy two distinct issues have been presented. The first is, whether upon the supposition that ordination is an act of government and belongs to the power of jurisdiction and not of order, there be not something so peculiar in it, that the only rulers who are competent to execute it, are ministers themselves. This is the form in which the subject was first submitted to the church.‡ It was generally conceded that ordination was the act of a Court—that it was neither analogous to preaching nor to the administration of the sacraments, nor to any other function which pertained to ministers in their individual relations as preachers of the word. It was a joint and not a several power.§ This principle being undisputed, the question arose whether it pertained to the Court as *a whole* or only to those members of it who possessed the office to which the candidate was about to be set apart. There were two leading grounds on which the doctrine of the Assembly of 1843 was defended. 1. That ordination conferred ministerial authority—was a sort of spiritual generation of spiritual teachers—and therefore *could* be bestowed only by those who already possessed it—upon the obvious principle that a man cannot give to others what he has not himself. 2. That ordination pertained only to Scriptural Presbyters—and that as Ruling Elders are not the Presbyters of Scripture, they had no right to unite with the Presbytery in the performance of a

* Printed Minutes, p. 183. † *Ib.*, p. 370.

‡ We do not mean to assert that no one had yet expressed the views of the Assembly of 1844—but the controversy, for the most part, was conducted on the assumption that ordination pertained to jurisdiction. We do not recollect but a single speech in the Assembly of 1843 that distinctly denied this doctrine—many contended in general terms that it was a *ministerial act*—evidently meaning that ministers were the only rulers competent to execute it.

§ Ecclesiastical power is divided into two kinds—the power of order—*potestas ordinis*—and the power of jurisdiction—*potestas jurisdictionis*. The first is called several power—because it can be exercised by any individual who belongs to the order, without the concurrence or coöperation of others—the other is called joint power, because it can only be exercised in conjunction with others—that is—in some ecclesiastical court. See Second Book of Discipline of the Kirk of Scotland, chap. 1.

strictly Presbyterian act. This seems to us to have been the state of the controversy when the Assembly of 1844 met. That Assembly has made another issue by denying that ordination is an act of government at all—by pronouncing it to be a rite—and by referring it to the category of order rather than jurisdiction. In every aspect of the case the characteristic principles of our system are involved. To admit that ordination is the act of a court, and to exclude any class of members from participation in it, is to raise a question concerning the nature of the office and the extent of the rights with which these members are invested. No one has ever attached the least degree of importance to the circumstance of the imposition of hands, as a simple matter of fact—by the Ruling Elders of Presbytery. It is the *principle* on which their right has been denied—whether it respects the nature of ordination, or the nature of their office, that has given the subject all its interest and value. It is certainly a matter of some moment to determine what ordination is—the consequence attached to it by Prelatists and Papists—the bitter controversies it has occasioned in the church—and its obvious relations to the authority and duties of the ministry require that we should, at least, be settled in our own views as to what constitutes its essence. Our church ought to have a definite testimony—and yet their recent agitations have revealed the melancholy fact that upon this whole subject, our language to each other, to other churches and the world, is as confused and contradictory as the dialects of Babel. It is also a matter of some moment that the office of Ruling Elder should be clearly apprehended. Is he a mere deputy of the people, clothed with delegated power, and only the organ of the constituents who elect him—or is he an officer divinely appointed—clothed with jurisdiction by the authority of God, and elected by the people to discharge the duties which Christ has connected with his office? Is he or is he not the Presbyter of the Scriptures? These surely are not slight questions—they affect the very heart of our system—and in deciding them, we settle the distinctive principles of our government. Whether or not Ruling Elders shall ever exercise the right, which we contend belongs to their office, of imposing hands in the ordination of ministers, is a matter in regard to which we are profoundly indifferent—

we are content to leave them to their own discretion—and so we are equally indifferent whether any *minister* beside the Moderator shall engage in the same act. But when it is asserted that they are precluded from this or any other Presbyterian function by the very nature of their office, or the peculiar character of the service, then principles are involved which possess a magnitude and importance proportioned to the excellence of the Presbyterian Polity in contradistinction from every other mode of church government. Then we are required to say whether we believe with the Papists, that ordination is a sacrament—with the Prelatists, that it belongs to the power of order—with the Independents, that it belongs to the people—or with the great body of the Reformed Churches—that it belongs to the power of jurisdiction—is an act of government, and must be administered by the legitimate Courts of God's House. Then we are required to say, whether Ruling Elders are lawful members of ecclesiastical courts—are the Presbyters of Scripture, or are mere intruders into Congregational, Classical and Synodical Assemblies. We are required, in other words, to say whether we are Presbyterians or not.

Slight and insignificant, therefore, as the question may appear to be in itself, in its collateral issues, it involves considerations which justify all the gravity and importance which have ever been attached to it. The minutest pimple on the face, is a fit subject of alarm, when that pimple is the symptom of a cancer?

The points which Dr. Breckinridge discusses in the speech before us, are “that the whole work of the ordination of ministers of the word, belongs regularly and properly to a Presbytery, composed of preaching and ruling elders; and that the Presbytery which should impose hands is the same as that which performs all the rest of the work of ordination.”*

His doctrine, in other words, is that ordination is an act of government and appropriately belongs to the rulers of God's house judicially convened—that it is the exercise of joint and not of several power, and cannot be restricted to one class of elders more than to another. *Every* Elder who is a member of the court, whether he be a preacher or not, may participate in the execution of the act.

* Presbyterian Ordination not a Charm, &c. p. 29. Minute submitted to the Synod.

This speech, like the former, may be divided into three parts. The first presents what may be called the constitutional argument—the second illustrates the propriety and fitness of the provisions of our standards on which the constitutional argument depends—and the third is devoted to the doctrine of other churches in reference to the point in dispute, as this doctrine is gathered from the authorized symbols of their faith.* Any language which should, at all, be proportioned to our convictions of the ability with which these topics are discussed, would, to those who have never investigated the subject, seem to be extravagant. It is impossible to read the speech without being struck with the power it displays. Nothing but inveterate prejudice or obstinate perverseness of mind can deny that a cause which has enlisted so much talent—and such noble earnestness and zeal—is entitled to worthier treatment than that of being dismissed with a sneer.

What we have styled the constitutional argument, embraces four points: 1. The express language of the law which concedes to the Presbytery, and to the Presbytery as a whole—the power to ordain, to remove, to install and to judge ministers. 2. The inconsistency of denying to Ruling Elders the right of uniting in the imposition of hands, when they are obviously entitled to bear a part in every other portion of the work. 3. The fallacy is exposed which, from the language put into the mouths of the members after the ordination has been performed, would restrict the Presbytery, to which the Constitution has entrusted this office, exclusively to ministers; and 4. The presumption against the right of Elders, arising from its inconsistency with the general practice of the church, is satisfactorily removed. This presumption is shown, in the first place, to lie as strongly against other principles which are universally acknowledged to belong to our system, as against the proposition in question. In the next place, a very important distinction is suggested between the fact and the inference which ought to be drawn from the fact. It may be granted that elders, as a general rule, have never been accustomed to impose hands—it has never been their practice—but as

* The first part extends from p. 14 to p. 17—the second from p. 17 to p. 20, and the third from p. 20 to the close. The whole speech occupies sixteen closely printed pages.

other reasons may be conceived which are sufficient to explain the phenomenon, beside a denial of their right, that denial is hardly a legitimate, certainly not a necessary inference from the fact.

To illustrate the manner in which these points are discussed, we shall present extracts bearing upon each in the order in which it has been mentioned.

1. "The main point of this discussion, so far as the question is one of positive law, is one, in regard to which it would seem to be impossible there could be a difference of opinion amongst us. Where is the power of ordaining ministers of the word lodged under our constitution? "The *Presbytery* has power * * * * to *ordain, install, remove and judge ministers.*" (Form of Gov. ch. x., sec. 8.) What Presbytery? Why, sir, beyond all doubt, that Presbytery which is one of the divinely instituted assemblies declared in this same constitution to be invested with power to govern the church of Christ; (ch. viii., sec. 1)—that Presbytery defined in the same chapter which declares its power to ordain, as being composed of many separate congregations, which, by their need of mutual counsel, invest presbyterial assemblies with their importance and usefulness, and declared to *consist of ministers and ruling elders*; (ch. x., sec. 1 and 2)—that Presbytery, thus constituted, which is so often and so prominently held forth throughout the entire chapter which treats expressly of the ordination of Pastors and Evangelists; (ch. xv.)—that Presbytery, to which as constituted of the officers called of God to receive the fearful trust of the keys of the kingdom of heaven, the power of church censures is committed. (Confession of Faith, ch. xxx., sec. 1 and 2.) This, sir, is the body to which, by language as plain as language can be, the power to ordain ministers is confided under this constitution. This power is confided to it *as a body*—not to its individual members; to it, as *the* body defined in the instrument itself: and to place the power in any other hands than those of an Assembly composed of the Pastors and Ruling Elders of the churches of a particular district, is to act in gross disregard of law which we have solemnly declared we believe to be in full accordance with the revealed will of God, and which we have sacredly bound ourselves by mutual covenants to observe. It is nothing to the present argument whether other ordinations be valid or invalid; though I readily admit them to be for substance good, even when they are irregular in form. It is nothing worth to enter into the questions so largely disputed in the Westminster Assembly, about congre-

gations fixed and congregations fluid; about a church-state settled and a church-state unsettled; about the exclusive power of Presbytery and the concurrent power of Presbytery and consistory or church session, in the premises. It is wholly beside the question, as matter of strict argument, what our own church even, believed or did before the formation of the present Form of Church Government and its adoption in 1788: as much so as it would be to determine the powers of the present Congress of the United States, by the practice or the theory of the government under the old Confederation, instead of doing it by a fair construction of the present constitution. The true question is, what is the law of this church as laid down in this book? And the answer is simple, clear, explicit—that the ordination of ministers of the word belongs under our covenanted system, neither to Pastors nor Committees, nor nondescript things called quorums, nor church sessions, nor Synods—but to *Presbyteries*; and not to Presbyteries in the vague and general sense of the term, but to the Presbyteries of this Constitution. Nor can I conceive, sir, that a candid mind can doubt in regard to this point, after it has been plainly stated.

The *formal* parts of this ordination are stated with absolute precision. A fast day ought to be observed in the congregation where the ordination is to take place, previous to it. (Form of Gov., ch. xv., sec. 11.) The *Presbytery* being convened, a member ought to preach a sermon; the same or some other member should explain, enforce, and recapitulate the case; the person appointed to preside should ask the questions set down to be answered both by the candidate and people (*idem.*, sec. 12 and 13;) “Then the presiding minister shall by prayer, *and with the laying on of the hands of the Presbytery*, according to the Apostolic example, *solemnly ordain him* to the holy office of the gospel ministry.” (*Idem.* sec. 14.) Who shall ordain him? “*The presiding minister*”—in the name—by the authority, with the concurrence, in the bosom of the constituted Presbytery—as its Moderator—and not otherwise: so are the words written. Whose hands are to be laid on him that is ordained? “*The hands of the Presbytery*”; so again are the written words. What Presbytery? Why beyond all the powers of human ingenuity and perversity to gainsay—the Presbytery of this constitution; the Presbytery of this chapter; the Presbytery that licensed the candidate—the Presbytery that received his call and put it into his hands; the Presbytery that examined him, and appointed a day to ordain him, and met for that purpose in the church that called him; the Presbytery that chose one of its ministers to preach,

another to deliver a charge to the people, another to deliver a charge to the new minister, another to preside at his ordination. This is the Presbytery that lays its hands on him—and to assert the contrary, I say it without intending to give offence, is utter folly. But this Presbytery is a Presbytery which consists of ministers and elders; a presbytery in which one elder from every congregation in the district, has a right to sit as a member. Therefore, by the irresistible force of the very terms of the law, every elder present and a member of the body, is as much bound to lay on his hands as any minister present can be. Why, sir, would you stultify our fathers? Did they first define with the utmost clearness the term *Presbytery*; then invest the body so called with the power of ordaining ministers of the word; then in a long chapter treating of this ordination in detail use the word a dozen times in its defined sense; and then without notice or motive, use the same word in the same chapter and touching the same business, in a sense not only inconsistent with their own definition of it, and their constant use of it, but in a sense flatly contrary to both? The thing is supremely absurd. We have in this city a municipal government which consists of a Mayor and two bodies called jointly the City Council. Suppose the Legislature of this State were to pass an act of fourteen or fifteen sections, defining the power belonging to the municipal government over any particular subject, and directing minutely the manner of its exercise: suppose it should say in one section it meant by the words “municipal government,” the Mayor and the two branches of the the City Council, and then throughout the act use the words confessedly in this sense, until it came to the fourteenth section, and in it should use the same words, in regard to the same matter, once more; now, sir, I demand of you, what would be thought of a man, who could seriously contend that in this case, the words “municipal government”—used in the fourteenth section of the act, really did not mean the Mayor and both branches of the City Council—but in fact meant only and singly the first branch? Will you say, no man would venture upon so marvellous a folly? Then why, sir, shall we have a thing just as preposterous, forced upon the church, in the name of reason, of our constitution, and of the word of God?”—p. 14–15.

2. “It cannot escape notice, that if ruling elders are denied the right of imposing hands in the ordination of Pastors and Evangelists, it must necessarily follow that they ought to be prevented from taking any part in every other portion of these ordinations. The ground upon which they act in the matter at all, under this

constitution, is, that they are declared to be a component part of the Presbytery, (Form of Government, chap. x., sec. 2;) that the Presbytery is declared to have power to ordain ministers, (Idem, sec. 8;) and that "the laying on of the hands of the Presbytery" is declared to be a formal part of this ordination, (Idem, ch. xv., sec. 14;) and it is a ground altogether impregnable. If the laying on of hands be the only essential part of ordination, or the main part of it, then the more clearly this is proved, the more important it is that ruling elders be not illegally ousted of their rights, and the more manifest it is that this right is inherent in their office—since, if this is ordination, this is the very thing they are commanded to do. But, on the other hand, if the imposition of hands is any part at all of ordination, then manifestly, the body which has the entire power of ordination, has power to perform this part of ordination, and therefore ruling elders have it upon the same ground precisely that preaching elders have it, namely, that they are members of the body to which the right appertains; and to deny this involves, either that imposition of hands is no part of ordination, or that ordination is not by the Presbytery, both of which are absurd and contrary to express law—or that ruling elders may be denied any participation in a part of ordination which is expressly declared to belong to the whole Presbytery; and if this can be done, then they can, on the same grounds, be deprived of all participation in all parts of ordination—and that act cease to be presbyterial and become merely hierarchic, as to every part of it; which is precisely the tendency of the greater part of the arguments I have heard and read on the other side. Furthermore, upon the same grounds precisely, the ruling elders ought to be deprived, and if they tolerate the present encroachment, they will be deprived at last, of all right to take any part in installing, removing, and judging ministers, as well as in ordaining them; for the whole four powers are of one and the same class, and are embraced and invested by a single clause (Form of Government, chap. x., sec. 8,) of the Constitution. There is full as much sense in the notion that an elder cannot take away the ministerial office because he cannot give it, as in that so current amongst us, that he cannot give it because he has it not himself; and there is far more reason to say he shall in no case take part in installations, than to prohibit the imposition of his hands, since the latter act is only and always presbyterial, while the former one may be done by committee. (Form of Government, ch. xvi., sec. 6.) And surely it is far more evident that when ministers are installed by a committee of ministers, ruling elders can have no right to take part

in removing them, seeing they had none in placing them; that it is that they cannot impose hands in ordination, even though ordination be an act of Presbytery only, and they members of the body. The truth is, sir, the whole matter resolves itself into one of these four propositions—either the imposition of hands is not a Presbyterial act, which is exactly contrary to the words of the Constitution;—or Presbyterial acts may be performed where there is no Presbyterial authority, which is absurd and revolutionary;—or ruling elders, when members of Presbytery, must unite in the act, which is true;—or you must show an explicit statement in the Constitution, not only that a Presbytery is good without them—which the Synod asserts and the Constitution denies—but that even when they are present, they are denied this right; that is, that even when members, they are not members.”—p. 15-16.

3. “But, chiefly, the whole sophism, rests on an error of fact. The word *ministry* is, no doubt, in its popular use often, perhaps generally, applied to the ministers of the word; but our standards, and those of other Presbyterian churches, and our Bible too, use it technically to mean all the divinely ordained officers of the church. Our confession says, “Christ hath given *the ministry*, oracles, and ordinances of God for *the gathering and perfecting* of the saints, in this life, to the end of the world,” (ch. xxv., sec. 3,) and our Form of Government declares that Pastors, Ruling Elders, and Deacons, are the ordinary and perpetual officers of the church, given to it by Christ—as already abundantly proved: therefore these standards must contradict themselves, or else in them, and so in this place—the word *ministry* does not mean simply the ministers of the word. The *Second Book of Discipline*, of the Kirk of Scotland, is equally explicit:—“according to the parts of this division, (to wit, of the policie of the Kirk,) ariseth a sort of threefold officers in the Kirk, to wit, of ministers, preachers, elders, governors, and deacons, distributors. *And all these may be called by a general word, ministers of the Kirk,*” (ch. ii., part 2). Yes, sir, and our brother Paul is more explicit even than our brother, Andrew Melville; for knowing that the Master had laid down, and enforced in his own inexpressible humiliation, the great truth that *minister* of the church and *servant* of the church are the very same thing; he expressly declares that all the gifts of him who ascended far above all heavens, were for a work which he expresses by a word borrowed from the name of the humblest office in the church—a *deaconry*—a *ministry*; and seeing that he had called Christ himself—a

minister, a servant for the truth of God, using the same word—when he speaks of himself and even of his apostolic office, he goes out of the circle of ecclesiastical phraseology and selects a word lower than the lowest he could find there—to say, ‘so account of us as of the *ministers* of Christ.’”

4. “And as for the pretended practice—what is it? That Elders *shall not* impose hands in the ordination of ministers of the word? I deny that any such practice ever did, or from the nature of the case ever could exist, independently of clear law; or if it existed, could be proved in the manner here attempted. That Elders *did not* so impose hands, might be a practice, and might be proved; but that they *should not*, is a long step farther; and the moment this principle has been attempted to be asserted as the sense of the church, it has created an excitement which it will require better arguments than the previous question to allay. That Elders *did not* impose their hands *actually*, is asserted with great confidence to have been the uniform practice; the very *general* practice it may have been; the *universal* practice, I have personal knowledge it was not—and that in portions of the church the most thoroughly imbued with the principles of our system. That *potentially*, whoever did impose hands, did it as the act of the whole body, and therefore of the elders in the body, is just as clear, as that when the candidate is ordained by the Moderator presiding—as by the words of our book he is—the ordination is potentially that of the body—and so is Presbyterial: and this is one manifest proof of the absurdity of talking about a practice that Elders *should not* impose hands.”

Having proved that according to the plain and obvious meaning of the constitution, ordination belongs to the Presbytery as a *whole*, and not to a single class of its members, Dr. Breckinridge proceeds to vindicate the law, and shows conclusively to our minds, that there is nothing in the nature of ordination itself, or in the nature of the Ruling Elder's office, which renders it unfit that he should take part in the service. As we shall have occasion to refer again to the principles involved in this portion of the speech, we shall content ourselves with a single passage in which the teaching of the Scriptures upon the question at issue, as it was evidently understood by our fathers, is clearly and felicitously presented.

“Our Form of Government, ch. viii., sec. 1 and 2, quotes Acts xv. 6, to prove the government of the church to be *jure divino*, in

assemblies congregational, classical and synodical; and then in ch. x., sec. 1, and ch. xi., on the title, it quotes the same passage to prove that, *jure divino*, classical and synodical assemblies are composed of Pastors and Ruling Elders. In ch. xv., sec. 14, 1 Tim. iv. 14, is quoted to prove that in ordination the hands of the Presbytery ought to be imposed; and in ch. x., sec. 1, the same passage is quoted to prove that many congregations are united in one Presbytery composed of Pastors and Ruling Elders. So that holding Ruling Elders to be incompetent to impose hands, we quote a passage which proves that Presbytery ordains by imposition of hands, and quote it again to prove that ruling elders as well as preaching elders were in that Presbytery. And holding that the power of regimen held by ruling elders does not qualify them to act in a matter which falls immediately and absolutely under the power of an assembly having rule; we quote a passage to prove, in the first place, that this assembly has the power of rule, and in the second, that ruling elders were in it! The passage in Timothy, puts it out of dispute, that the body which ordains is a Presbytery, and that it ordains with imposition of its hands; while that in Acts is equally conclusive that it had jurisdiction, and that the elders who sat in it, were all neither more nor less than Presbyters. Here, sir, I may boldly take my stand. These marginal citations clearly prove by Scripture, that the doctrine asserted in our standards is that which I assert before you now; and that the men who put them there and have kept them there, understood these standards to teach this doctrine. Assemblies which have rule in the church—which are composed of teaching and ruling elders, and are therefore called Presbyteries—ordain ministers of the word, by the imposition of the hands of their members, without discrimination. This is the doctrine of these standards and of God's word. And, sir, I invoke your solemn consideration of the state of the question to which the whole argument conducts us. The whole office of the ruling elder is involved. His power to ordain depends on his power to rule—and they stand or fall together. His position under our constitution and by the word of God, is determined by the same argument, and will be decided by the same vote. With him falls the grand peculiarity of Presbyterian, and as I believe, of Christian, Church Order.”

The last portion of the speech is devoted to the doctrine of foreign churches. “The *practice* of other churches,” Dr. Breckinridge tells us, “I do not pretend to have sufficiently examined into, to speak with confidence about it—

nor indeed does it appear to me a point of sufficient importance to be worthy of discussion, under the circumstances. * * * The *doctrine* of other Reformed Churches I have considered as standing in a different light, and have carefully examined it, especially as it is set forth in their public and formal standards.* Independently of the reasons which Dr. Breckinridge has specified for attaching more importance to *doctrine* than to *practice*, it is worthy of remark that general principles are seldom apprehended, on their first announcement, in the full extent of their application. Though the truth of the universal always includes the truth of the particulars, yet it is possible—it is a fact daily exemplified in the processes of thought—that the general may be received without any adequate conception of the number of particulars it contains.† The definitions of mathematics and the leading principles of ethics *contain* all the truths which belong to either science—and yet it is the study of a life to develop in either case the full extent of virtual knowledge which is involved in an assent to the definitions of the one and the fundamental doctrines of the other. The Reformers, in many instances, like the prophets of Israel, were the heralds of doctrines which they knew to be true, because they were found in the word of God, but whose compass and extent, their past associations and established habits of thought prevented them from duly appreciating. Step by step, they followed the truth in its vigorous assault upon their settled prejudices and existing institutions, but the whole work of the truth it was not for a single age or a single generation to achieve. It is the duty of after-times to apply their principles, when just, to abuses and corruptions to which their fathers saw not, that the principles could be extended. In this process we are not opposing—we are acting in consistency with their testimony—we are simply hatching the egg which they have deposited. It may, therefore, be true, that the founders of the Reformed Churches abroad never in fact reduced to a complete and consistent practice their Scriptural doctrine of ordination—and yet this circumstance is by no means a proof that it is incapable of an application which they never made. Their practice may not have been reformed into

* Presbyterian Ordination, &c. p. 20

† See chap. ii., Book IV. Whatly's Logic.

perfect harmony with their principles. They may neither have seen nor felt the discrepancy—and yet the discrepancy may have really existed. They may not have apprehended all the details which were legitimately embraced under their general statement. Their *doctrine*, therefore, is a surer guide than their practice—it is the mould into which their practice ought to have been cast—and if they failed to do it, we are wanting in reverence for them and veneration for the truth, when we prefer what they did not condemn to what they cordially approved.

So far as the point of doctrine is concerned, Dr. Breckinridge has shown, that wherever it is repugnant to the conclusions for which he contends, it is in consequence of principles distinctly rejected in our standards. This is particularly the case in reference to the Reformed Church of France.* He alleges in his favour—and we do not see how his arguments can be resisted—the second or latter Helvetic Confession—which he pronounces to be emphatically “*the Confession of the Reformed Churches*”—the Second Book of Discipline of the Kirk of Scotland†—and disposes very successfully of the arguments which have been drawn from the formularies published by the Westminster Assembly.‡ He considers in the last place the history of our own Constitution§—in which he proves, beyond the possibility of doubt, that upon the subject of church-order the Scotch, and not the Westminster Standards, were principally followed, and that in the successive modifications of our system, the principles have been more and more clearly embodied from which his own views seem to result as a necessary consequence.

It seems to us that the opposition to Dr. Breckinridge's theory, arises from a two-fold error—the first having reference to the nature of ordination itself, and the second to the office of the Ruling Elder. Our limits do not permit us to enter, at this time, into an extended investigation of these topics, but we shall present, with all the brevity consistent with perspicuity, the results to which our inquiries have conducted us. What then is ordination?

It deserves to be remarked, in the first place, that the very term itself obviously implies, what every definition,

* Presbyterian Ordination, &c. p. 21. † *Ibid.*, p. 22-24.

‡ *Ibid.*, p. 24-26. § *Ibid.*, p. 26.

whether Protestant or Papal—Prelatic, Presbyterian or Congregational, assumes as a conceded proposition, that the ministry of the Gospel is an *ordo*. The different gradations which the churches of England and of Rome have introduced into the general office of the clergy are accordingly styled *holy orders*. In these applications, the word *ordo* is used in a sense analogous to that in which it was employed to indicate the rank of a Roman Senator. The clergy, as Knapp suggests,* seem to correspond to it, while the mass of the people, the laity, are distinguished from them, not as another order—but by the absence of that which, in the other case, is the ground of separation.

Ordination has evidently some relation to this *ordo*, and our views of this relation must depend upon our previous conceptions of the source and nature of that, whatever it is, which constitutes the essence of the order.

According to Rome,† three sacraments, baptism, confirmation and orders, impress an indelible character on the soul—which, consisting not in a new and peculiar relation, but in an absolute quality, fits it to discharge the duties of religion, assimilates to Christ, and is a badge of distinction from others. The character, whatever it is, which the sacrament of orders confers, constitutes the difference between the clergy and the laity. There is a mark upon the souls of one which is not found upon the souls of the other. Orders enrol a man among the leaders of the hosts of the Lord, and communicate the power—as a personal and substantive possession—to distribute to others the blessings of the covenant. In correspondence with this view of the nature of the order, Rome teaches that ordination is a sacrament—and *as a sacrament*, actually impresses the indelible character which distinguishes the priesthood. It is that which *makes* a man a priest—the only Divine calling which can justify a creature in ministering at the altar. His ordination and his commission from above are one and the same thing.

According to the divines of the Church of England, the possession of ministerial power, which Hooker‡ does not scruple to denominate “a kind of mark or character, ac-

* Lectures on Theology, vol. 2, p. 494, Art. xiii., §136.

† Bellarmin De Effectu Sacramentorum. Lib. ii., chap. 19.

‡ Ecclesiastical Polity, Book V., chap. 77, §2. Cf. §7. Keble's edition.

knowledged to be indelible," is that which entitles a man to the rank of a minister. "Ministerial power," says the author of the Ecclesiastical Polity, "is a mark of separation, because it severeth them that have it from other men, and maketh them a special *order*, consecrated unto the service of the Most High in things wherewith others may not meddle." To introduce a man into orders, in the Church of England, is to give him authority to execute the functions which pertain to the ministry. Ordination *confers* the power which constitutes the badge of ministerial rank, and, as in the Church of Rome, so in this Protestant communion, it is the only valid commission which a man can legitimately plead to administer the ordinances of God. "Canonical ordination," says Hooker,* "in the Church of Christ, is that which maketh a lawful minister as touching the validity of any act which appertaineth to that vocation." The very words which the Bishop employs, in the services prescribed for the occasion, are conclusive proof that ordination is regarded as the real communication of a Divine warrant to discharge the duties of a minister—it creates a right to the *ordo*—it impresses the character or bestows the power which is distinctive of the rank—so that the relation of ordination to the *ordo* in the churches of England and Rome is essentially the same. Their Bishops undertake in the name of God to call and commission the ministry for its work.†

But, according to *our* doctrine, and the doctrine of the great body of the Reformed Churches of Europe, the right to the ministerial office depends upon the calling of God.

* Ecclesiastical Polity, Book V., chap. 81, §12.

† We extract the following passage from a Dictionary of the Church, by Rev. Wm. Staunton. Ordination is defined to be—

"The act of conferring holy orders, or the right and authority to execute the offices of the Christian ministry. Ordination is not to be confounded with the *designating* or *setting apart* of a person to the work of the ministry; for in strictness, any one may do this for *himself*, or it may be done for him by his parents, guardians, &c. and involves nothing but what any layman may perform; whereas ordination is the actual *communication of authority* from a legitimate source, to execute those functions which appertain to the several orders of the ministry. Neither is ordination to be viewed as the appointing of a person to the spiritual charge of a particular congregation; on the contrary, every ordained clergyman is to be held as a Minister of the Church Catholic, and his location in any particular sphere of labor, is a mere accident, not affecting the validity, or the extent of his spiritual powers."—*Art. Ordination.*

A divine vocation, imparting a spiritual fitness for the work, is the only mark or character which distinguishes the ministry from every other class of men. Those gifts of the Holy Ghost—that heavenly and powerful unction by which God qualifies His agents for the positions to which He has assigned them, are the only badges of the order which the Scriptures lead us to recognize. Hence, upon our principles, ordination must sustain a very different relation to the *ordo* from that which is ascribed to it in the Churches of England and of Rome. As with us, it is God through the Spirit who imparts the ministerial commission, and conveys the right to discharge the duties of the office—as God and God alone can communicate the distinctive qualities of the *ordo*. Ordination with us can only be an acknowledgment of the fact that a man *is* a minister of God and entitled to rule and to teach in His church. We do not undertake to put into the hands of ministers their Divine warrant for their work—we only receive and set our seal to the credentials which God has given. In our use of the term ordination and that of the Prelatists, there is a difference of meaning analogous to that which obtains between Protestants and Romanists, in their use of the much more important term justification. To justify with the one is to make righteous, as to ordain is to create a minister—to justify with the other, is to pronounce righteous, as to ordain is to declare a man a minister. Hence, Presbyterian ordination imparts nothing—whether character, power, grace, or privilege. It is neither a charm nor a commission—it is a simple acknowledgment of what God has done. As a right is comparatively worthless whose existence is not recognized by others—the logical maxim being universally applicable *de non apparentibus et non existentibus eadem est ratio*—it is of the utmost importance to the success and efficiency of a minister, that his divine authority be admitted. Hence, God has appointed ordination as a public recognition on the part of His church of the rights which He has supernaturally conferred. It is the established mode in which it is *made to* appear that He has called and anointed the subject of it for the work of the ministry.

As it is evidently, therefore, the decision of a question of fact concerning the Divine right of an individual to be ranked in the *ordo*, two elements must enter into it, the in-

vestigation of the evidence, and the formal rendering of the judgment. The decision must be made in conformity with the laws of Christ. He has prescribed the principles on which it must depend. He has defined the qualities which characterized the ordo and settled the mode in which the knowledge of their existence can be acquired. The whole process in the investigation of the evidence and the declaration of the verdict is only an application of the laws of Christ, and is consequently committed to the same hands with the general administration of government. Ordination is a judicial decision, and therefore belongs to a Court. Imposition of hands is the formal rendering of the judgment—and as the judgment is the judgment of the whole Court, it must be rendered as the decision of the whole, though a particular individual may be selected as the organ. There is nothing, therefore, in any part of the process in which a Ruling Elder may not fitly and consistently participate. The point to be determined, is a question of fact concerning the right of a given individual to be enrolled in the ordo of ministers. This right depends upon a Divine vocation, imparting a spiritual fitness for the work. This vocation is, in turn, to be determined by the laws which Christ has prescribed in the case. The judgment of the Court is reached by calling on each member to express his opinion by a vote—and when the result is known, the judgment is formally declared by the imposition of the hands of the Presbytery. If a Ruling Elder, therefore, has a right to vote in the case, he has also a right to impose hands. They are both expressions of the same judgment—the one being the opinion of the individual as a member of the Court, and the other the judicial decision into which that opinion has entered as a component element. Such we apprehend to be the nature of Presbyterian ordination—and every other hypothesis, as it seems to us, must proceed upon the assumption of Prelatists and Papists, that it is in the power of man to communicate the distinctive peculiarities of the ministerial order. Every other doctrine must make ordination the *commission* of the ministry. The mystical jargon about the transmission of authority, the communication of power, the delegation of office, is essentially prelati— and we can conceive of no theory of ordination which renders it incompatible for an elder to partake in it, which does not assume that

its relation to the ordo is that for which Prelatists and Romanists contend.

The other error which we mentioned has reference to the nature of the office of the Ruling Elder. It is becoming common to represent it, not as the immediate appointment and institution of Christ, the only King and Head of the Church, but as the creature of the people, possessed of no other powers but those which they have chosen to entrust to it. The Elder is an organ through which the people exercise the jurisdiction which Christ originally committed to them. He can do nothing but what the people themselves might do, and his office is Divine only in the sense that God is supposed to sanction the act of his constituents in delegating their power to him, instead of exercising it in their own collective capacity. According to this extraordinary theory, the people in mass might constitute, in connection with the ministry, the judicial Assemblies of the Church. The Session might be composed, not of the Pastor and Elders, but of the Pastor and the brotherhood. The Presbytery might be composed, not of the Ministers and a Ruling Elder from each church within the bounds of a district—but of the ministers and the entire congregations of professed believers committed to their charge. Our government upon this scheme, as it was originally instituted by Christ, and as it might now be *jure divino* practically administered, is an odd mixture of an elective aristocracy—the clergy—and a pure democracy, the people. We have no hesitation in affirming that this whole theory of the origin and nature of the Elder's office, is absolutely false—unsupported by a single text of Scripture, or a single doctrine of our standards. Presbyterianism venerates the *rights*, but it is a new thing under the sun to maintain the *judicial power* of the people. Christ has not committed the government of the church into their hands. The language of our law is as clear and explicit as language can be made. "The Lord Jesus, as King and Head of the Church, hath therein appointed a government—IN THE HANDS OF CHURCH-OFFICERS, distinct from the civil magistrate."* Not a word is said about the right of the people to coöperate in all acts of discipline and government. The *potestas jurisdictionis*

* Confession of Faith, chap. xxx., §1.

pertains to *church-officers* — “to these officers” — it is added — and not to the people, “the keys of the kingdom of heaven are committed”* — “it belongeth to the overseers and other rulers of the particular churches, by virtue of their office, and the power which *Christ* hath given them, for edification, and not for destruction, to appoint “Synods and Councils” — “and to convene together in them as often as they shall judge it expedient for the good of the church.”† “Our blessed Saviour, for the edification of the visible church, which is his body, hath appointed officers, not only to preach the Gospel and administer the sacraments, but also to exercise discipline, for the preservation both of truth and duty; and it is incumbent upon these officers, and upon the whole church in whose name they act, to censure or cast out the erroneous and scandalous.”‡

These passages of our Standards recognize the doctrine of Owen,§ which we apprehend to be the true doctrine of the Scriptures — that “all church-power in actu primo, or fundamentally is in the church itself: in actu secundo, or its exercise, in them that are especially called thereunto.” “He hath instituted,” says this great man,|| “and appointed the offices themselves, and made a grant of them unto the church for its edification. As also, he hath determined and limited the powers and duties of the officers. It is not in the power of any or of all the churches in the world, to appoint any office, or officer in the church, that Christ hath not appointed. And where there are any such, they can have no church-authority properly so called; for that entirely riseth from and is resolved into the institution of the office by Christ Himself. And hence, in the first place, all the authority of officers in the church proceeds from the authority of Christ in the institution of the office itself: for that which gives being unto any thing, gives it also its essential properties.” “It is hence evident,” he insists in another place,** “that in the communication of church-power in office unto any person called thereunto, the work and duty of the church consists formally in acts of obe-

* Confession of Faith, chap. xxx., §2. † Ibid., chap. xxxi., §1.

‡ Form of Government, Book I., chap. 1, §3.

§ Owen on the Nature of a Gospel Church, chap. iii., §2. Works, vol. 20, p. 378.

|| Ibid., p. 386. ** Ibid., p. 389.

dience unto the commands of Christ. Hence, it doth not give unto such officers a power or authority that was formally and actually in the body of the community, by virtue of any grant or law of Christ, so as that they should receive and act the power of the church, by virtue of a delegation from them; but only they design, choose, set apart the individual persons, who thereon are entrusted with office-power by Christ Himself, according as was before declared." While, therefore, "all church-power, which is nothing but a right to perform church duties in obedience unto the commands of Christ and according unto his mind, is originally given unto the church essentially considered," yet it has evidently "a double exercise—1, in the call or choosing of officers; 2, in their voluntary acting with them and under them in all duties of rule."

That the people, and not Christ, are the direct and immediate source of all the power and authority committed to the office of Ruling Elder, is an error which, though it evidently contradicts the express teachings of our standards, has arisen from a total misapprehension of the title with which they distinguish him—*the representative of the people*. A representative and a delegate are essentially distinct—they differ not merely, as Lord Brougham* seems to suppose, in the extent of the subjects on which they are authorized to act, but in the *relation* which they bear to those who elect them. It is not a little remarkable that Brougham should treat "the representative principle as the grand invention of modern times," and yet in his formal and elaborate definition of it, embody what strikes us as the distinguishing characteristic of a delegate or deputy. It "consists" he tells us,† "in each portion of the same community choosing a person, to whom the share of that portion in the general government shall be entrusted, and not only the administration of the affairs of the whole as related to other communities, or the administration of the affairs of each portion in its relation to other portions of the State, but the administration of all the concerns whatever of that separate portion." The problem, according to this definition, to be solved by representative government, is the accommodation of the principles of pure democracy to ex-

* Political Philosophy, vol. 3, chap. 6, p. 31. † Ibid.

tended territory or abundant population—it is an artificial arrangement by which the regiment of masses is approximated when it cannot be attained—and the excellence of the whole system depends upon the degree in which this result is secured. The representative of Lord Brougham and the deputy whom he had previously described, and from whom he expressly distinguishes his representative, differ only in the *extent* and *not in the nature* of their commission. Their relation to those who appoint them is precisely the same. But we contend that the offices are radically and essentially distinct.* A deputy is simply the *locum tenens* of his principal—the creature of instructions which he cannot consistently transcend—a substitute, and nothing more. A representative, on the other hand, is a confidential agent, pursuing the dictates of his own understanding, and bound to act in conformity with his own private convictions of right—a deputy is an organ, through whom the will of his constituents is declared—the herald which proclaims their voice—a representative deliberates and acts *for* his constituents, and upon his own personal responsibility must endeavor to promote the true interests of the people; whatever may be their temporary whims or caprices. Burke was a noble representative, but not a deputy, when he declared to the electors of Bristol—“I did not obey your instructions—No—I conformed to the instructions of truth and nature, and maintained your interest, against your opinions, with a constancy that became me;” and Chatham understood the true nature of his office, though he may have erred on a point of etiquette, when he declined presenting a petition from his constituents of Bath. Representative government is a different kind of government from a pure democracy. It is essentially a limitation upon the people—they choose representatives because it is not safe that they themselves should discharge the functions of legislators or rulers. In human governments, the power of representatives may, for the most part, be ultimately traced to the people, as this whole system of polity is generally, though not always, the offspring of popular will. In establishing this species of government, the people create

*The ablest and clearest discussion of this subject which we have ever seen, is in Lieber's *Political Ethics*. We refer particularly to vol. 2, Book VI., concluding chapter.

the office of representative, define its powers, specify its duties, and settle its rights. They form a Constitution, the very object of which is to prevent the accumulation of too much power in their own hands—to restrain the supremacy of their own will—and to check the tendencies of absolute authority to abuse and tyranny. This Constitution, once fixed, is the immediate source of all power to all the representatives chosen under it—to it, and to it alone, must they appeal for a knowledge of their rights, privileges and duties. *It*, and not the will of those who elect them, becomes their law. Their relations to the Constitution, which equally binds them and their constituents, render it absurd that they should be treated as mere organs, machines or automatons through which others act. It deserves further to be remarked, that in all organized States in which the representative principle is a part of the Constitution, the representatives possess powers and discharge functions to which their constituents as a mass can lay no claim—putting it in this way beyond all doubt that a representative and deputy are fundamentally distinct. In the Church, the representative government is not, as in the State, even ultimately the creature of the people—it is the direct appointment of Christ, and the powers and duties of ecclesiastical representatives are prescribed and defined in the word of God—the only Constitution of the Church. They are there represented as rulers, and not as tools—they are to study and administer the laws of the Saviour, and not bend to the caprices of the people; and they are to listen to no authoritative instructions but those which have proceeded from the throne of God. Christ never gave to the people, as a mass, any right to exercise jurisdiction or to administer discipline. They cannot appear in Session or Presbytery. It is not only inconvenient that they should be there, in their collective capacity, but they have no right to be there. The privilege of attending as members, as component elements of the Court, would be destructive of all the ends which representation is designed to secure—it would subvert the whole system of government. The business of the people is to elect the men who give sufficient evidence that they are fitted by the Spirit to fill the offices which Christ has appointed. “This is the power and right given unto the church essentially considered with

respect unto their officers, namely, to design, call, choose and set apart the persons by the ways of Christ's appointment unto those offices whereunto by His laws He hath annexed church-power and authority."* These men represent the people, because they are they choice of the people. The term representative, therefore, is equivalent to chosen ruler—it designates the manner in which the office is acquired, and not the source of its powers. When Elders, consequently, are styled in our Standards the representatives of the people, it is a total misapprehension to suppose that the meaning intended to be conveyed is, that they are the deputies or delegates of the people, occupying a position and exercising powers which the people themselves might occupy and exercise. The title imports nothing more than that they are the persons whom the people have selected, as duly qualified and called of God, to perform the functions which Christ has enjoined upon the rulers of His house. The people *as such* possess not a single element of the potestas jurisdictionis which pertains to the Elders and the Courts of the Church.

It is obvious from this explanation of the term, that Pastors are as truly representatives of the people as Ruling Elders. They have, in this respect, a common ministry; and the reason why the title is not given to them as well as to the elders is, that they are called to discharge other duties, unconnected with the department of government, so that this title cannot be a complete description of their office. Pastors are more prominently preachers than rulers—and hence the names by which they are distinguished have a more pointed reference to the ministry of the word than the power of jurisdiction. But in relation to the Ruling Elder, the term representative of the people is a complete description of his office. He is a chosen ruler and nothing more. While the Pastor, in so far as he is a ruler, is as much a representative of the people as himself, yet he combines other functions with his representative character, which would render this term a very inadequate description of all his relations to the Church of God. His right to rule depends precisely upon the same grounds with the right

* Owen on the Nature of a Gospel Church, chap. iii. Works, vol. 20, p. 389.

of the Ruling Elder. Hence, the argument is nothing worth which denies that an Elder may impose hands in the ordination of ministers, because he is the representative of the people, entrusted with no other powers, but those which they themselves might exercise, among which the authority in question cannot confessedly be ranked. He is not a *locum tenens* of the brotherhood, but fills an office which Christ has appointed—whose duties Christ has defined—whose powers were never the property of the people, and cannot be claimed by them without gross usurpation. He can do many things which his constituents are not authorized to do—among which, for ought that appears, the imposition of hands may be properly reckoned. We might pause here, and the argument would be complete against those who maintain the doctrine of the Assembly on the preposterous ground that a representative and deputy are essentially the same. But the Scriptures and our Standards go much further, and both expressly teach that the Ruling Elder is strictly and properly a Presbyter, and therefore entitled to participate in all acts in which any Presbyter, *as such*, can bear a part. If the imposition of hands is a Presbyterial act, and the Scriptures and our Standards both style it the imposition of the hands of the Presbytery, Ruling Elders may join in it as lawfully as any other members of the Court. The only way of evading the force of this argument is, either to deny that the imposition of hands is a Presbyterial act, or that the Ruling Elder is properly a Presbyter. What we have said before on the general subject of ordination, coupled with the express words of Paul and our Form of Government, may be sufficient to show that there is no foundation for the hypothesis that ordination pertains to several and not to joint power, and belongs to the ministry of the word and not to a court. The stress of the argument has turned chiefly on the other horn of the dilemma, and elaborate efforts have been made to prove, what seems at first to be little less than a contradiction, that the Elder is not properly a Presbyter—this term being restricted to preachers, to preachers *as such*, and to preachers exclusively.

It cannot fail to be observed, that the obvious effect of this theory is to invalidate the arguments for the Divine appointment of the office drawn from the natural meaning of the

title, the acknowledged constitution of the Jewish Synagogue, and the plurality of Elders confessedly ordained in the Apostolic Churches. When these points are abandoned, we know of nothing stronger or clearer that shall be left from which a Scriptural warrant for our system can be deduced. To us they seem to have been consistent, who, when they had proved that the Ruling Elder was not a Presbyter, were prepared to abolish the office as a human contrivance and an unnecessary appendage to the church.

It is idle to tell us that Paul speaks of *governments*, and using the abstract for the concrete, means governors themselves, since it can be readily retorted that all preachers are governors, being invested with authority to rule as well as to instruct. The term, in itself considered, does not necessarily convey the idea of a class of men whose sole business it is to administer the government of the church. Paul may be speaking of an important function of the ministry of the word, or enumerating the gifts with which the officers whom he had previously mentioned were furnished by Christ. Occasional allusions, like that which occurs in Romans, to "him that ruleth," can be interpreted apart from the supposition that there were those whose whole office in the church was conversant with jurisdiction and discipline. These passages, independently and alone, cannot prove the office of Ruling Elder as it exists among us. They naturally fall in with the supposition of such an office, and become cumulative proofs of it when there is positive evidence apart from them to establish its existence. But it must be ascertained to us upon other grounds, that there were such rulers in the primitive church, before we can confidently interpret such passages as allusions to them. It seems to us, therefore, that to deny that a Ruling Elder is a Presbyter, is virtually to deny the *jus divinum* of the Eldership.

That Presbyter, as a title of office, means a ruler, and nothing more than a ruler, we shall endeavor to show is at once the doctrine of our Standards and of the Word of God.

In treating of the person who fills the office of a Pastor, our Form of Government* assigns the reason why he is termed Presbyter or Elder. The reason, of course, must

* Book I., chap. 4.

include a definition of the title—as all the names by which the Pastor is distinguished, whether bishop, minister, angel, or ambassador, “are expressive of his various duties.” Now, on what ground is he styled a Presbyter? If this word were synonymous with preacher, it would evidently be “because he is sent to declare the will of God to sinners, and to beseech them to be reconciled to God through Christ, or because he dispenses the manifold grace of God and the ordinances instituted by Christ.” Yet our Constitution expressly declares, that upon these grounds he is termed an ambassador and a steward of the mysteries of God. Why, then, is he denominated a Presbyter, and what is included in the application of this name? “AS IT IS HIS DUTY,” the Constitution answers—“TO BE GRAVE AND PRUDENT, AND AN EXAMPLE OF THE FLOCK, AND TO GOVERN WELL IN THE HOUSE AND KINGDOM OF CHRIST, HE IS TERMED PRESBYTER OR ELDER.” Preachers, accordingly, are Elders, not because they preach or administer the sacraments; but because they are *governors*. He whose duty it is to be a grave, prudent, exemplary ruler in the house of God, is a *Presbyter*. This is the definition of our Standards—and as every element of it is unquestionably found in the Ruling Elder, the name can, with equal propriety, be applied to him. The preacher shares in common with the deacon the title of minister, because both are appointed to a service; and he shares, in common with the Ruling Elder, the title of Presbyter, since both are appointed to rule. That our Standards regard the term as equally applicable to both, is manifest from the fact that they quote the same passage of Scripture as a warrant for the Presbyterial authority of both. They tell us that the Scriptures recognize a Pastor as a Presbyter, and refer, among other texts, to 1 Tim. v., 17. They tell us farther,* that “the office of Ruling Elder has been understood, by a great part of the Protestant Reformed Churches, to be designated in the Holy Scriptures by the title of governments; and of those who rule well, but do not labor in the word and doctrine,” and refer to this very same passage of Timothy, in which those persons, who rule well without laboring in the word and doctrine, are expressly denominated Presbyters. The inference is unavoidable, that they

* Book I., chap. 5.

regarded Presbyter as synonymous, not with preacher, but *ruler*, and as properly descriptive of all who are called to administer government in the house of God.

That the definition of our Standards is in full accordance with the word of God, we shall attempt to show, without going into an extended investigation, from which we are precluded by the length which our article has already reached, from such general considerations as are obviously suggested by the current phraseology of the sacred writers.

In the first place, we would call attention to the maxim of the great father of modern philosophy, the neglect of which has been the fruitful parent of most of the misapprehensions and mistakes which have perplexed and confused the minds of those who have defended the doctrine of the Assembly. "It is the peculiar and perpetual error of the human understanding," says Lord Bacon, "to be more moved and excited by affirmatives than negatives, whereas it ought duly and regularly to be impartial; nay, in establishing any true axiom, THE NEGATIVE INSTANCE IS THE MOST POWERFUL." It is a false induction, therefore, to collect together a bundle of passages in which Presbyters are mentioned who were unquestionably preachers, and then, without pausing to inquire whether there may not be negative instances, or whether the real ground has been discovered of the application of the term, to lay it down as an indisputable axiom, that the Scriptural Presbyter is a minister of the word. As the negative instance is most powerful, *one* such instance is sufficient to overthrow, to establish the logical contradictory, of the universal conclusion deduced from a host of affirmatives. To produce a thousand texts in which the words presbyter and preacher appeared to be interchangeable, would signify nothing, if a single case could be alleged in which they were evidently of different import. In such a contingency, the dictate of sound philosophy and of sober criticism would be to enquire whether there were not some property common to both terms, in consequence of which the affirmative and negative instances might be fairly harmonized. If Presbyter in a multitude of Scriptures is applied to preachers, and in a single instance applied to those who are not preachers, instead of making the term equivocal, a definition should be sought embracing the points, in which those who were, and those

who were not, preachers, agreed. This definition would include all that is essential to the meaning of the title, and should set forth the precise ground on which it is attributed to either class. If any other persons, besides preachers, are denominated Presbyters in the Scriptures, it follows irresistibly that preachers are not so called because they are preachers, but in consequence of some other property of their office, common to them and to others who have no right to dispense the mysteries of God. This common property, whatever it may be, is the essence of the Presbyterate; and that it consists in the right to rule is clear from the passage, which proves, beyond the possibility of doubt, that Presbyters and ministers of the word are not synonymous terms. That passage is 1 Tim. v., 17. "Let the Elders that rule well be counted worthy of double honor, especially they who labor in the word and doctrine." These words, furnishing the powerful negative instance of Lord Bacon, contain the logical contradictory of the proposition, that Presbyter is the title of ordinary ministers of the word. To affirm, in the face of this Scripture, that all Elders are teachers, is no less preposterous than to affirm in the face of experience and of fact, that all that are mortal are men.

But we are told that* "as the Greek word for *Deacon* is used in a general sense for all church-officers, and yet is the specific title of one particular class of officers; so the word Presbyter may be taken in a wide sense, including even Apostles, and yet is the definite title of ordinary ministers of the word, and is never applied in its specific sense and without qualification to any who are not ministers." That is, if we understand the argument, Presbyter, from being a generic term, susceptible originally of a larger extension, became eventually the definite title of a particular class. It is an universal law of classification, that what logicians call the whole comprehension of the genus, or every idea which enters into a just definition of the name of a class, must be found in *all* the species which are included under it. This is the only ground on which the genus can be predicated of the subordinate classes. Hence, if the word Presbyter is generic, and, in its full comprehension, capable

* Reference is here had, as in other parts of this article, to a pamphlet on the Elder Question, under the signature of Geneva. See p. 9.

of being affirmed of other classes of men, beside ministers of the Gospel, the idea of preaching cannot enter as an element into the definition of the genus. The specific differences which distinguish the various classes embraced under a common name, cannot be included in the definition of that name. If preachers, accordingly, constitute a species of the genus *Presbyter*, and some who are not preachers constitute another, it is intuitively obvious that the comprehension of the generic term excludes the property of preaching. The *specific* difference of the classes consists in the possession, in the one case, and the absence, in the other, of lawful authority to preach. Hence, the original ground of applying the general term to preachers must have been some property, from the very nature of classification, which they possessed in common with others who were not called to dispense the word and sacraments. To say that *Presbyter* became eventually restricted to a single class, though in its general sense capable of a larger application, is not an answer to the difficulty. It could only become definite by being limited in common usage, to a species which, at first, was included under it, not in consequence of its specific difference, but in consequence of possessing the whole comprehension of the genus, whatever it might be. A generic term must first be applied only in its generic sense, before it can be made the definite title of any of its species. The illustration suggested in the case of the word *deacon*, though fatal to the purpose of the author, is precisely in point for us. The generic idea expressed by the word is that of *servant*—in this wide sense it embraces a great variety of classes distinguished from each other by the different nature of their services, but agreeing in the common property of service. The whole generic idea is found in each species, whether composed of private individuals, inspired Apostles, ministers of the word, dispensers of alms, or rulers of the church—all, without exception, are *deacons*, because all, without exception, are *servants*. This word, however, is restricted, for the most part, as a title of office, to a particular class—in which, however, the whole generic idea is found and very conspicuously presented. The generic meaning remains unchanged, and the definite title simply applies it to a particular kind of service. If now the case of *Presbyter* is analogous, the generic idea ex-

pressed by the word can have no reference to preaching. This can be no part of the wide sense in which it is predicated of other men as well as ordinary ministers of the word; and if a general term, by becoming specific, only limits the application of its generic sense, as in the instance of deacon, Presbyter can never, under any circumstances, be applied to ministers simply *as such*. In ordinary cases, the name of genus is not likely to be restricted to any of its species, unless the species exhibits very clearly, strikingly and prominently the peculiar elements which constitute the genus. The generic is sometimes more conspicuous than the specific difference, and in such cases the limitation is easy and natural. Upon this principle, it is more probable that the term Presbyter, if restricted, should be restricted to those who are exclusively rulers than to those who combine other duties with the function of government. Hence, we find that in the fourth century, when Prelacy had made such encroachments in the church, that almost every title of office, the Deacon not excepted, had become confined to the clergy, the few scattered remnants of the primitive rulers, who lingered as monuments of by-gone days, were distinguished by names corresponding exactly to that of Presbyter, and borrowed from the Latin translation of the Scriptures in common use. It is true that the accommodated word itself was applied only to preachers, because every where, except in Northern Africa, there was nothing else to correspond to it. But wherever the office has existed, or after long years of discontinuance has been revived, it uniformly receives a title which answers to the original term in the Greek.

Another general consideration, which proves that the Scriptural Presbyter is simply a Ruler, and that the term as appropriately belongs to Elders as Ministers, is the fact, that all the words which are used interchangeably with it, are expressive of government rather than of teaching. There can be no doubt that Pastors, Bishops and Presbyters are different names of precisely the same office. To fix the meaning, therefore, of the words, Pastor and Bishop, is to settle the import of the Scripture Presbyter.

Pastor or Shepherd, in its metaphorical acceptation, expresses the general idea of guidance and authority, and may refer either to the instructions of a Teacher, or the direc-

tions and government of a Ruler. Perhaps, in the old Testament it is more commonly descriptive of government than of the office of teaching, and we are inclined to think that the true ground of its application to a teacher is the tendency of his instructions to regulate the conduct of life. Be this as it may—a Pastor is unquestionably a ruler. Every scholar will call to mind the *ποιμνενα λαων* of Homer—which the scholias explains to be equivalent to *βασιλευα οχλων*. Instances of similar usage abound in the classical authors, but the Septuagint is better authority for us. In Ezekiel 37: 24, Shepherd, and King, are evidently employed as synonymous. “And David my servant shall be King over them, and they all shall have one shepherd.” “*Pastor*” says Schleusner, “hoc est, *rex*, unus erit omnium.” God promises His people in Ezekiel 34: 23, 24, that He “will set up one *shepherd* over them,” even His servant David, who is immediately described as a “Prince among them.” To feed the people of Israel is explained in 1 Chronicles 11: 2, by being their ruler. “Thou shalt feed my people Israel, and thou shalt be ruler over my people Israel.” When we come to the New Testament, the idea of rule seems to be intimately associated with the word Shepherd or Pastor, and its derivatives.

The clause which our Translators have rendered, Revelation 2: 27, “he shall *rule* them with a rod of iron,” is, in the original, he shall *feed* them with a rod of iron. In Matthew 2: 6, “out of thee shall come a governor that shall rule my people Israel;” the Greek is, that shall *feed*, or be the Shepherd of my people Israel: and in Paul’s enumeration of the officers whom the ascending Saviour bequeathed to the Church, if Pastors and Rulers are not synonymous, as Ambrose evidently* thought them to be, there is no mention of rulers at all.

The passages are sufficient to prove that Pastors are not necessarily teachers—and that Elders may be Pastors in both the Classical and Scriptural sense, without being ordinary ministers of the word. The generic idea is that of guidance or direction—the specific form of this guidance may be instruction or government.

In reference to the other synonyme of Presbyter, Bishop,

*Comment. on Ephes. iv.

(ἐπισκοπος) the case is still clearer. This term, wherever found, whether in the classical writers of antiquity, the Septuagint translation of the Old Testament, the works of Josephus, or the books of the Apocrypha, seems to convey the general idea of guardianship, superintendence and care. As a title of office, it is properly applicable to a subordinate class of rulers, who, possessing no independent powers of their own, are appointed to see that duties enjoined upon others are faithfully discharged. They differ from the higher order of magistrates in having no original authority, and in being confined to the supervision of others in the department committed to their care. They have no power to prescribe the law—they can only see that its precept is observed. Their functions seem to be exactly expressed by the English word overseer. The subordinate magistrates, sent out by Athens to take care of her interests in tributary cities, were styled Bishops.* Homer, to inculcate the doctrine that the Gods will protect the sanctity of treaties, does not scruple to call them the bishops of covenants.† Hector, as the guardian and defender of Troy, is lamented by Andromache under the same title.‡

According to the usage of the Septuagint, the word is much more intimately associated with ideas of rule than those of instruction. In Numbers 31: 14, where our English version has *officers of the host*, the Greek translation is *bishops* or *overseers of the host* — ἐπισκοποις τῆς δυναμῆως. An officer in an army certainly occupies a position of authority—he has a right to command and can exact obedience under the severest penalties. Such subordinate officers as those contemplated in this passage, were specially appointed to enforce obedience to the orders of their superiors. In Judges 9: 28, Zebul, in the Greek version, is expressly styled a *bishop*—and as in the thirtieth verse of the same chapter, he is denominated a *ruler* of the city, the terms would seem to be synonymous. The word occurs in Nehemiah 11: 9, 14, 22, and in each text evidently means a ruler of the specified division—one entrusted with authority, and not a teacher.

* Scholiast. in Aristoph, Av., 1023. Boeckh's Public Economy of Athens. Vol. 1.

† Iliad, 22, 255. Μαρτυροὶ ἐσθόνται καὶ ἐπισκοποὶ ἄρμονιαων.

‡ Ibid., 24, 729. ἡ γὰρ οὐλοῦσα ἐπισκοπος.

The English version has properly translated the word as it occurs in the original, *overseer*—which is also the precise rendering of the Greek. The overseers appointed over all the people, in 1 Maccabees 1: 57, were evidently magistrates, who had it in charge to see that the commands of Antiochus were observed. Josephus* employs the word in a sense completely analogous, and the first meaning which Hesychius assigns to it is that of king.

The introduction of the term, as a title of office in the Christian Church, is happily explained by Neander.†

From the account which has been given of the meaning of this term, it follows, in the first place, that it is not applicable to preachers, *as ministers of the word*. And, in the second, that there is great beauty in its application to the rulers of the church. A preacher, as such, is charged with declaring the whole counsel of God; and if, in relation to this matter, he has the oversight of any one, it must be of himself. The rulers of the church have the oversight of him, but he has, as a minister, the oversight of none. To church-rulers the term is peculiarly appropriate. The officers of Christ's kingdom are only subordinate functionaries, whose whole business it is to see that the laws of Christ are

* Ant., 10, 4, 1.

† "The name of *Presbyters*, by which this office was at first designated, was, as we have before remarked, transferred to the Christian Church from the Jewish Synagogues. But now, when the churches had spread themselves more among the heathen of Grecian origin, there was associated with this appellation, thus borrowed from the civil and religious constitution of the Jews, another name, more connected with the mode of designating social relations among the Greeks, and better adapted to denote the official duties connected with the dignity of Presbyters. This was the appellation ἐπισκοποι, *overseers*, over the whole church and over all its affairs; just as in the Attic civil administration, those who were sent out to organize the States dependent on Athens, were called ἐπισκοποι; and just as this name seems to have become generally current in the language of civil life, to denote any kind of governing superintendence in the public administration. Since now the name ἐπισκοπος was nothing more than an accommodation of the original Jewish and Hellenistic name of office to the social relations existing among the heathen; it follows even from this, that originally both names referred to one and the same office; just as also both appellations are often used interchangeably, as being entirely synonymous."—*Biblical Repository*, vol. 4, p. 254.

duly administered and observed. They have no power to legislate themselves, nor to invent new and additional sanctions—they are nothing but ministerial agents to carry out the instructions of their Lord and Master.

The considerations which have been presented, we deem sufficient to show that our Standards and the Scriptures concur in teaching that the Ruling Elder is truly and properly a Presbyter; and therefore, has a right to participate in all acts in which any other Presbyter can bear a part. It does not follow, however, that because he is a Scriptural Pastor and Bishop, he is, therefore, a minister of the word and a steward of the mysteries of God. Preaching is a very different department of labor from ruling, and though all preachers, whether Apostles, Evangelists, or Pastors, in the technical sense of our Standards, are rulers, according to the appointment of God, yet the converse of the proposition is by no means true, that all rulers, whether Elders, Bishops, aut alio quocunque nomine vocentur, are Preachers. We affirm, without hesitation, that all ministers of the word, lawfully called and ordained, are Presbyters; but we are very far from affirming that all Presbyters, lawfully called and ordained, are ministers of the word. We maintain that Christ has appointed two classes of rulers, or chosen representatives of the people—one to preach and rule—the other only to rule—that Presbyter and Bishop are terms expressive of *government* and not of *instruction*, and, therefore appropriate to both classes. If now we have proved that an Elder is a Presbyter, and that ordination is a Presbyterian act, we can deduce no other conclusion from our premises but that Ruling Elders, when members of the Court, have an equal right with their ministerial brethren, to participate in all the stages of the process. In this conclusion, we can detect the elements neither of Prelacy nor Independency—it seems to us to be nothing more nor less than plain, simple, consistent Presbyterianism. And here we shall make an end, commending the subject to the prayerful study of the church—especially of those who are called to administer its government and discipline.