

**Cumberland Presbyterian**

**DIGEST**



**BIDDLE**



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# CUMBERLAND PRESBYTERIAN DIGEST

1810-1919



COMPREHENDING A SUCCINCT HISTORY OF THE  
CUMBERLAND PRESBYTERIAN CHURCH; A CLEAR  
STATEMENT OF ITS ORGANIC LAWS; TOGETH-  
ER WITH A FAITHFUL PANDECT OF THE  
JUDICIAL DELIVERANCES OF ITS HIGH-  
EST JUDICATORY, THE GENERAL  
ASSEMBLY; AND A REVISION  
OF MR. STEPHENS' AD-  
MIRABLE WORK.



COMPILED BY THE  
REV. A. C. BIDDLE  
(Under Act of the Eighty-Seventh General Assembly)



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NASHVILLE, TENN.  
NEW CUMBERLAND PRESS

-1919-

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Rev. J. H. Zwingle, Moderator  
1920

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## INTRODUCTION

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At the General Assembly held at Birmingham, Ala., in 1916, I had the honor of being Chairman of the Judiciary Committee of that body. Many matters of importance were referred to this Committee, and there was much time wasted because there was no Digest of the deliverances of the General Assembly, since the one compiled by Rev. J. V. Stephens and published in 1899.

The need of a new Digest, or one to at least fill up the gap from 1899 down to date, was so evident that a Committee was appointed at that time to prepare an entirely new Digest. I had the honor of being on this Committee, but on account of my entering the army immediately thereafter I was unable to do anything to assist; and it fell to the lot of my former pastor and friend, the Rev. A. C. Biddle, to do the work.

The result speaks for itself. The whole Church will greet with approval the announcement that a new Assembly Digest has been completed, in which all rulings of the highest court of our Church have been digested and brought down to date.

Every minister, as well as every session clerk, in the entire Church, should at once secure a copy; and there shall be greater intelligence and harmony and the saving of much valuable time in all our Church courts, as a result of the splendid efforts of Brother Biddle in the compilation of our new Cumberland Digest. No man in the denomination was better suited for the careful painstaking work required in the preparation of the Digest than was he; and the Church at large, I am sure, will appreciate and be grateful for the zeal and energy that were required to produce such a work.

Bowling Green, Ky.

Henry H. Denhardt.





## ASSEMBLY'S WARRANT FOR THIS DIGEST

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For some years past our various Church Courts have been seriously feeling the need of a new Digest of Assembly deliverances, or at least a revision of the Stephens' Digest, which should also include the deliverances of the last twenty Assemblies. Accordingly, at the Eighty-Sixth meeting of the Assembly, held at Birmingham, Ala., Ruling Elder Judge H. H. Denhardt offered the following resolution, which was adopted:

"Whereas, the need of an up-to-date Digest of General Assembly deliverances on various phases of Church laws and government is great, and such a Digest is essential to a proper understanding and efficient administration of our Church government; therefore be it

Resolved: 1. That this General Assembly appoint a Commission of three whose duty it shall be to arrange for the compilation and publication of such a Digest.

2. That the deliverances of the General Assembly as contained in Stephen's Digest shall be revised and included in the new Digest, unless precluded by copyright." (1916, pp. 114, 115.)

In adopting the above resolution, the Assembly appointed the Commission as called for, and enters in its Journal of Proceedings the following account of its action thereon:

"Commission Appointed.—A Commission, consisting of Rev. A. C. Biddle, Rev. Hugh S. McCord, and Judge H. H. Denhardt, was appointed to arrange for the compilation and publication of a Digest of deliverances upon Cumberland Presbyterian laws and government, which Digest shall include a revision of Stephens' Digest." (1916, p. 32.)

This commission, or committee, made report to the next meeting of the General Assembly, which was held at Lincoln, Ill., and its report having been read, was referred to the Committee on Publication. The full text of the report of this Digest Commission is found in the Minutes of 1917, p. 113, and the action taken upon that report is as follows:

"Report of the Committee on Digest.—We recommend that Rev. A. C. Biddle, of Clarksville, Tenn., be appointed to prepare the Digest in accordance with the printed report of the committee."—Report on Publication, 1917, p. 133.

In the above-cited acts of the General Assembly, the compiler of its new Digest has had his work clearly outlined; and, notwithstanding the enormity of the task set before me, I have cheerfully and faith-

fully sought to obey. I have adopted the general order and plan of the Stephens' Digest, both because of its logical simplicity, but more especially because the workers in the various Church courts are more familiar with that order. Those materials, therefore, which are deemed essential to the purposes of this new Assembly Digest will be found under one or another of these divisions: I. The Historical Statement; II. The Church; III. The Church Officers; IV. The Church Courts; V. The Judiciary; VI. The Agencies of the General Assembly. Much of the matter in Stephens' Digest has either been found obsolete or non-applicable to our Church to-day, and I have carefully blue-penciled every page of it. And so it comes about that a volume of more than six hundred pages is reduced to one of four hundred pages, notwithstanding the introduction of a vast amount of new matter. Appended to the body of the work is a very complete alphabetical index which will enable the worker to reach any special deliverance at a glance; while "Briefs of Points of Order" will be a great benefit in every Church judiciary. In closing these explanations and closing my work upon the New Cumberland Digest, I am sincerely praying that it may do much good and so meet the purpose for which the Assembly called it into being.

Very sincerely your brother,  
Arthur Colyar Biddle.

# CONTENTS

<b>I. Historical Statement</b> .....	1
1. The (General) Cumberland Presbytery.....	1
2. The (General) Cumberland Synod.....	27
3. The General Assembly Organized.....	28
<b>II. The Church</b> .....	50
1. The Cumberland Presbyterian Church.....	50
2. A Particular Church.....	58
3. Church Members .....	69
<b>III. The Church Officers</b> .....	79
1. The Minister .....	80
2. The Ruling Elder .....	93
3. The Deacon .....	99
<b>IV. The Church Courts</b> .....	101
1. The Church Session .....	106
2. The Presbytery .....	112
3. The Synod .....	140
4. The General Assembly .....	153
<b>V. The Judiciary</b> .....	193
1. The Law Stated .....	193
2. The Law Applied .....	198
<b>VI. The Agencies of the Assembly</b> .....	205
1. The Assembly's Board of Trustees.....	205
2. The Board of Publication .....	210
3. The Board of Publication, Sunday Schools, and Young People's Work .....	215
4. The Board of Missions and Church Erection.....	216
5. The Woman's Board of Missions.....	219
6. Trustees of Theological Seminary.....	222
7. The Board of Ministerial Relief.....	224
8. The Board of Education .....	226
9. Bethel College .....	227
10. Assembly Endowment .....	228
11. The Board of Tithing.....	230
12. Other Boards of the Assembly.....	230
13. Permanent Committees .....	230
14. Rules of Order for Church Courts.....	231



## I. THE HISTORICAL STATEMENT.

“The Cumberland Presbyterian Church was organized in Dickson County, Tennessee, February 4, A. D., 1810. It was an outgrowth of the Great Revival of 1800, one of the most powerful revivals that this country has ever witnessed. The founders of the Church were Finis Ewing, Samuel King, and Samuel M’Adow. They were ministers in the Presbyterian Church, who rejected the doctrine of election and reprobation as taught in the Westminster Confession of Faith. The causes which led to the formation of the Church are clearly and distinctly set forth in publications issued at the time, and in various tracts and books published subsequently. To these the reader is referred for full information on the subject.”—From Preface to the Confession of Faith, 1883.

### 1. THE CUMBERLAND PRESBYTERY.

The first Presbytery, known as the Cumberland Presbytery, was organized by Rev. Samuel M’Adow, Rev. Finis Ewing, and Rev. Samuel King. It was not their purpose to originate a new Church, but to form an independent Presbytery, hoping that the time would speedily come when this Presbytery would be recognized by the Mother Church.

The formation of Cumberland Presbytery took place on February the 4th, 1810, at which time those participating in the organization entered into the following compact:

“In Dickson County, State of Tennessee, at the Rev. Samuel McAdow’s, this 4th day of February, 1810.

“We, Samuel M’Adow, Finis Ewing, and Samuel King, regularly ordained ministers in the Presbyterian Church, against whom no charge, either of immorality or heresy, has ever been exhibited before any of the Church judicatures, having waited in vain for more than four years, in the meantime petitioning the General Assembly for a redress of

grievances, and a restoration of our violated rights, have agreed, and do hereby agree and determine, to constitute into a Presbytery, known by the name of the Cumberland Presbytery, on the following conditions:

“All candidates for the ministry who may hereafter be licensed by this Presbytery, and all the licentiates or probationers, who may hereafter be ordained by this Presbytery, shall be required, before such licensure and ordination, to receive and adopt the Confession and Discipline of the Presbyterian Church, except the idea of fatality, which seems to be taught under the mysterious doctrine of predestination. It is to be understood, however, that such as can clearly receive the Confession without an exception shall not be required to make any. Moreover, all licentiates, before they are set apart to the whole work of the ministry, or ordained, shall be required to undergo an examination on English Grammar, Geography, Astronomy, Natural and Moral Philosophy, and Church History. It will not be understood that examinations on experimental religion and theology will be omitted. The Presbytery may also require an examination on all, or any part, of the above branches of literature, before licensure, if they deem it expedient.”  
—From the Circular Letter, pp. 11, 12.

At the first regular meeting of the Cumberland Presbytery, held in March, 1810, it was “ordered, that Messrs. Samuel McAdow, Finis Ewing, Ephraim McLean, J. B. Porter, and Young Ewing, or a majority of them, draw a Circular Letter, as soon as they can, which is to be carefully examined, and superintend the printing of a thousand copies to be distributed under the direction of Presbytery.”  
—From Minutes of Cumberland Presbytery, March 1810.

These men complied with the instructions of the Presbytery, as the following “Circular Letter” shows:

#### A Circular Letter.

(Addressed to the Societies and Brethren of the Presbyterian Church, recently under the care of the Council by the late Cumberland Presbytery; in which there is a correct

statement of the origin, progress, and termination of the difference between the Synod of Kentucky and the former Presbytery of Cumberland.)

Dear Brethren:—The time is at last come when we must either sacrifice our religious liberties and conscience to what we judge unreasonable demands, cease our endeavors to promote the work of God among you as we have hitherto done, or constitute a Presbytery separate from the Synod of Kentucky. We choose the latter as the only way in which we can have the answer of a good conscience. We therefore deem it expedient to give you a retrospective view of the cause, together with the progressive means, by which matters have been brought to this issue.

A number of you will easily recollect, that about the close of the last century, or beginning of the present, God, in a very remarkable manner, began to revive his work amongst the inhabitants of this western country, the first manifestations of which appeared under the ministerial labors of the Rev. James M'Gready, in Logan County. At the first commencement of this glorious revival, as also in its progress, the bodily affections and exercises of a number of those who were its subjects, were very uncommon. This soon caused a rumor to go abroad, and the people from every quarter came out to see. The consequence of which was, that they not only had their curiosity satisfied, but a great number had their hearts deeply affected. This, in the hand of God, was a blessed means of spreading the work through various parts of our country. For a while, at first, all the ministers in our bounds seemed to participate in the glorious effusion of the Holy Spirit, and correspondent to this proclaimed themselves friends to the revival. But alas! it was soon after discoverable, that some of them had changed their opinion, otherwise they had never been well-established. The consequence of this apparent change may easily be inferred, notwithstanding the work still progressed. And although the few who remained friends to the revival labored in the work of the ministry night and day, yet the cries of the people for more preaching were incessant, and those cries soon became so general, that they were heard

from many parts of an extensive frontier. The ministers, in return, could only pity, and pray for them; the congregations being so numerous, and in such a scattered situation, that they could not by any possible endeavor supply them.

About this time, a venerable father in the ministry, Rev. David Rice, who was then a resident in one of the upper counties of Kentucky, came down and attended a communion with some of our preachers in a vacant congregation; and he, having learned the situation of our country, and the pressing demand that there was for more preaching, proposed the plan of encouraging such amongst us as appeared to be men of good talents, and who also discovered a disposition to exercise their gifts in a public way, to preach the Gospel, although they might not have acquired that degree of human education which the letter of discipline requires. This proposition was truly pleasing to our preachers, and indeed it found general acceptance among the people, as soon as intimations thereof were given. The consequence was, that an uncommon spirit of prayer now seemed to prevail throughout the societies that the Great Head of the Church would, not only open an effectual door into the ministry, but also that he would raise up, qualify, and bring men into that sacred office, whose labors he would own and bless. And, brethren, that God who never told Israel to seek him in vain, evidently heard and answered the prayers of his people. Some whose minds had been previously impressed with the duty of calling sinners to repentance, and of bearing public testimony to the work of God and the religion of Jesus Christ, and upon whom also the eyes of the Church for some time had been fixed with a degree of expectation, now made their exercise of mind on this subject known to their fathers in the ministry. The prospect was truly pleasing to the preachers, yet they considered it expedient to act with the greatest caution; for although the step about to be taken was not unprecedented in the Presbyterian Church, yet, seeing it was out of the common track, they were well aware that some of their brethren in the ministry would oppose the measure. How-



ever they ventured to encourage three or four of the young men to prepare written discourses and present them to the Transylvania Presbytery as a specimen of their abilities. They accordingly prepared discourses, and at the next stated session of said Presbytery their case was brought before that reverend body. They met with warm opposition, arising principally, however, from a quarter rather inimical to the revival. But after a lengthy conversation on the subject, in which there was much altercation, a majority of the members consented, and agreed that the young men might be permitted to read their discourses to an aged member alone, who should make report to the judicature. We believe the report was favorable. It was then directed, as well as we can recollect, that those men should prepare other discourses, to be read at the next Presbytery. They accordingly prepared, and three of them attended; but as soon as the subject of their case was resumed, a warm debate ensued. At length, however, a majority of the members agreed to hear their discourses. After they were read, the question was put: "Shall these men be received as candidates for the ministry?" The vote being taken, one of the three was received, and two were rejected by a majority of one vote only. This circumstance much depressed the spirits of a number of the preachers, who were real friends to the revival, and likewise the congregations generally that had so earnestly desired their licensure; but more especially the spirits of those two candidates were depressed. They were men in a matrimonial state, and could not consistently with those relative duties, by which they were bound to their families, go and acquire the knowledge of all those forms of literature required in the Book of Discipline. Fain would they have returned home and solaced themselves in the enjoyment of their domestic comforts, as private Christians, if they could have done so and kept a good conscience; but this they could not do; nor could they with clearness of conscience become members of any other Christian Society where the ministerial door was not so straight and difficult, and consequently, where they might have been at liberty to exercise their popular talents with approbation. No: they

were attached to all the essential doctrines, and likewise the discipline, of the Presbyterian Church. It was in this Church they first felt the power of the Gospel upon their hearts, and tasted the sweetness of that grace which brings salvation to man. Therefore, in the communion of this Church they earnestly desired to live and die.

By this time a number of others who were generally esteemed eminent for gifts and piety, together with those who had already offered as candidates, became solemnly impressed to proclaim the word of life and salvation to sinners. But alas! the door of admittance seemed to be shut against them.

In this dark state of matters, both ministers themselves, and likewise the candidates who had already offered, and others who were looking forward toward the ministry, together with all the societies in our bounds, began now, in good earnest, to realize the necessity of crying mightily to that God who has Church judicatures in his hands, as well as the hearts of individuals. In the meantime, candidates and other eminent characters, who were assiduously endeavoring in one way or another to promote the work of God, were encouraged by their fathers in the ministry to continue the exercise of their gifts in a way of public exhortation, which several of them did, laboring much till the next Presbytery; at which time several petitions were presented, with hundreds of signatures, praying the Presbytery to license and send to their relief certain denominated persons. The subject was again taken into consideration, after which the Presbytery, who were personally acquainted with those men embraced in the petitions, knowing their piety, soundness in the faith, aptness to teach, etc., and taking into view the situation of the congregations, and the extraordinary demand for preaching, determined to hear trial sermons from three or four of them (at the present session), to be considered as popular discourses; which accordingly were delivered, and sustained by a large majority of the judicature. And after an examination on various subjects, touching the ministry, which was also sustained, they were "licensed to preach the Gospel within the bounds

of the Transylvania Presbytery, or wherever else, God in his providence, might call them."

Certain members who had always been opposed to the measure, entered their protest against the proceedings of the majority. But the majority were not deterred thereby from pursuing, in their official capacity, that method which they conscientiously believed best calculated to promote the Redeemer's kingdom in the world.

The Synod, not long after this, divided the Transylvania Presbytery, and formed what was called the Cumberland Presbytery, the bounds of which included all the members that attended the preceding session of the Transylvania Presbytery. This act gave a decided majority, in the new Presbytery, to the promoters of the revival and those who were friendly to the licensure of the aforementioned young men, which majority ever after continued and increased until the Presbytery was dissolved.

The licensing of these men, on the petition of the congregations, seemed to be a means, in God's hand, of increasing, instead of decreasing, the demand for supplies. They (the preachers) laboring both night and day, leaving their families for a considerable length of time, preaching the Word, planting new societies, and watering those that were planted, would necessarily increase such demand, if attended with the divine influence. And, brethren, we need only appeal to many of you to witness the success that evidently attended those men's labors. The feeling and experience of your own hearts are better evidences to you on that subject, than all the reasons that could be advanced. Though you may have ten thousand instructors, yet you have not many fathers in Christ.

The Presbytery in pursuing what they believed to be their duty, continued from time to time to license and ordain such men, both learned and unlearned (what is meant by unlearned here, is not a want of common English education), as they thought would be useful laborers in the vineyard of the Lord. And, if the old maxim be a good one, "judge of causes by their effects," the Presbytery will never have just cause to regret that they engaged in, and pur-

sued, such measures: for it is an incontestable fact (judging by our Lord's rule, By their fruits ye shall know them), that there are multitudes of both men and women who will have cause to rejoice eternally that they ever heard those men preach a crucified Christ.

The members who entered their protest sent a petition to the next session of Synod, referring them to the protest, "which they thought should have operated as an appeal," in which they complained of various irregularities in the Cumberland Presbytery with respect to the licensure and ordination of men to the ministry. The Synod at that time did or said but little about the matter; but at their succeeding session they appointed a commission of Synod to meet shortly afterwards in the bounds of the Cumberland Presbytery, at Gasper River, and directed certain members of the Commission to cite, previously to that meeting, all our preachers, licentiates, candidates, and public exhorters,\* who generally met in obedience to the citation.

We would observe here, brethren, that although the appointment of the Commission was (we hope) well intended, yet we believe it was unhappily selected as to a part of it, from what appeared in the prosecution of their mission. A number of that body, however, both preachers and elders, were meek and friendly disposed men, who felt, as brethren, disposed to pursue the most pacific measures (according to their order from the stated Synod) to heal the breach that threatened the Church. But, on the contrary, it is notorious, that another part of that body were men of different tempers; and it was an unfortunate circumstance that those men were the most forward, influential members.

After the Commission had met, and also the accused (who were then known as the majority of the Cumberland

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\*There was much noise about so many exhorters having been authorized by the Presbytery. The members thought, with the Apostle, that it was the duty and privilege of all Christians to exhort in some manner; and the design they had in licensing such as made application was to give them more weight among the people, without the most distant prospect of licensing them to preach, except those whose talents would have justified such an act.

Presbytery), the Commission selected, from the minutes and other sources, a number of irregularities, as chargeable against the majority of the Presbytery, all of which, however, were comprised in the two following particulars, to wit: 1st. The licensing of unlearned men, or such as had not been examined on the learned languages, etc.; 2nd. That those men who were licensed, both learned and unlearned, were required to adopt the Confession of Faith only partially, that is, as far as they believed it to agree with the Word of God.

As to the first ground of complaint, the Presbytery not only pleaded the exception made in the discipline in extraordinary cases, but also the example of a number of the Presbyteries in different parts of the United States.\* They, moreover, appealed to a higher authority than either of the foregoing, which was the New Testament, and inquired if there was any precept or example, in that, which condemned the practice of licensing what they (the Commis-

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\*Among the many instances of this kind that might be mentioned are the following—to wit: Mr. Beck, who was received by the Presbytery in North Carolina; Mr. Bloodworth, by Orange; Mr. Moore, by Hanover; Mr. Marquis, by Redstone; and Mr. Kemper and Mr. Abell, by the Transylvania Presbytery. Likewise in Pennsylvania, many years ago, a poor illiterate man, a native of Wales, conceiving that he had an internal call to preach the gospel, made his case known to the Presbytery. But, because he was not sufficiently acquainted with the English language to undergo all parts of examination in it, or in any other but his mother tongue, the Presbytery, therefore, sent for Mr. Davis, who was also a native of Wales, to conduct the necessary examination previous to licensure.

In short, the majority of the Cumberland Presbytery were of opinion that the compilers of the Confession of Faith and Discipline of our Church never intended that the rules there laid down for examination and trial of candidates for the ministry should be considered an infallible standard by which the Holy Ghost must be limited when he calls men to that sacred office. They had no doubt that this reverend body, at the same time they laid down those prudential rules, believed that the Great Head of the Church could, and actually did, when he thought proper, bring men into the ministry without the aid of those literary qualifications. And if granted that he might in one instance, why not in more; yea, why not in many? Who will limit the Holy One of Israel?

sion) called unlearned men to preach the Gospel? It was likewise asked if God could not as easily call a Presbyterian to preach, who had not a liberal education, as he could a Methodist or Baptist? a number of whom are acknowledged to be respectable and useful ministers of Jesus Christ.

As to the second point, the Synod had suggested that the candidates could have adopted the "Alcoran" in the same manner they adopted the Confession of Faith. This was acknowledged to be literally true, but not applicable in the case of the young men; for the Presbytery contended that the very act of the candidates' receiving the Confession at all, was an evidence that they esteemed it above all other human creeds; and the exception, or condition, in which they were indulged, was only designed to meet some conscientious scruples, in points not fundamental or essential, particularly the idea of fatality, that seemed to some of them to be there taught, under the high and mysterious doctrine of predestination.

The reasons offered by the Presbytery, on those points, did not appear satisfactory to the Commission of Synod; therefore, much altercation took place, during which time, no doubt, Christ was wounded in the house of his friends, by some (perhaps) of both judicatures. It is well recollected, at any rate, that the Presbytery, during the debate, were often reminded by certain members of the Commission that they stood at their (the Commission's) bar! Indeed, brethren, it appeared to us very notorious, that some of the leading members of that body assumed attitudes and an authority which but illy comported with the character of ministers of the meek and lowly Jesus, sent on a pacific mission.

After much reasoning, as well as positive assertion on the subject, the Commission demanded of the Presbytery, to give up to them all those men whom they had licensed and ordained for re-examination. The Presbytery refused, suggesting the danger of the example, and also that such a demand was without precedent. They, moreover, declared that they believed the discipline of the Presbyterian Church had deposited the sole power in the several Presbyteries to

judge of the faith and qualifications of their own candidates for the ministry.\*

After the refusal of the Presbytery, the Moderator of the Commission proceeded to adjure the young men to submit to their authority and be re-examined, when one of them asked liberty for himself and brethren to retire and ask counsel of God, before they would give an answer. This reasonable request was, at first, strongly opposed by one or two leading members of the Commission! But at length it was granted, and the young men retired to ask counsel of Him who is all-wise. In a short time after they returned, when they were asked individually if they would submit, they all (except one or two, who wanted longer time to deliberate) answered in the negative, for the following reasons, to wit: First, they believed the Cumberland Presbytery, which was a regular Church judicature, to be competent judges of the faith and abilities of their own candidates. Secondly, that they themselves had not been charged with heresy and immorality; and if they had, the Presbytery would have been the proper judicature first to have called them to account. Notwithstanding, the Commission of Synod proceeded formally to prohibit all the men, learned and unlearned, whom the Cumberland Presbytery had licensed and ordained, from preaching the Gospel in the name of Presbyterians! and also cited what were called the old members to attend the next stated session of Synod, to be examined on faith and to answer for not having given up their young brethren to be re-examined.

Here, brethren, we would ask (knowing that a number of you have been thirty or forty years regular members of the Presbyterian Church) if ever you knew an instance, either in Europe or America, of a Synod's undertaking to prohibit preachers [from exercising their ministerial func-

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\*On the principles of the Commission's demand, no Presbytery would know when there was an addition made to their body by ordination, inasmuch as the next Synod might demand a re-examination of the newly ordained minister, judge him unqualified, and declare he should no longer preach as a Presbyterian.

tions] who had not been accused by their own or any other Presbytery? We would also ask if ever you knew an instance of any reformed Church judicature's silencing a minister or ministers who had not been charged with heresy, immorality, or even what our discipline calls contumacy? This was certainly the case with the young men. That is, they were not charged with either of the above, yet they were prohibited, and the Presbytery censured because they would not acknowledge the authority by which it was done.

The members of Presbytery then retired to consult as to what was best to be done (but not in a Presbyterial capacity), and after deliberation they agreed to encourage the young men to continue the exercise of their respective functions, which they themselves determined to do, except in such business as required the act of a Presbytery.

Some months after, there was a general meeting, or Council, held at Shilo, consisting of the ministers, elders, and representatives from vacancies, which formerly composed a majority of Cumberland Presbytery. At that Council it was agreed on, to petition the General Assembly; and in the meantime cease our operations as a Presbytery; but continue to meet from time to time in the capacity of a Council, and promote the interests of the Church as well as we could, until an answer could be obtained from the Assembly. The Council, at this meeting, unanimously declared it to be their opinion that the commission of Synod had acted contrary to Discipline, which opinion was corroborated by the next Assembly (though not officially), according to a private letter from a respectable member of that body, a part of which is as follows:

“The unhappy differences in your quarter, so immediately succeeding what a great proportion of the Presbyterian interest in this place believed to be a great revival of the work of God, has excited deep concern, and our General Assembly has had the matter fully before them. It appeared to be the decided opinion of the majority in the General Assembly, that no Synod has a right to proceed against ministers or individuals, except the matter shall have come before them by appeal from the Presbytery. That only a



Presbytery could call its members to account for errors in doctrine or practice. That a man once ordained by a Presbytery is an ordained minister though the Presbytery may have acted improperly in not requiring the due qualification; and that even a Presbytery could not afterwards depose but for cause arising or made public after the ordination. That licentiates are always in the power of their Presbytery to examine them and withdraw their licensure at discretion. But that a Synod may act against a Presbytery as such by dissolving, dividing, censuring, etc., consequently that the dealings with Cumberland Presbytery were legal in dissolving them and annexing them to Transylvania, but wholly improper in suspending ordained ministers, and still more improper was it for a Commission of Synod to do it. But though the rule about the knowledge of languages, in our Discipline, is not often fully complied with, and though the rule is not found in the Scriptures, yet it is so important that, though your case was an imperious one, they seemed to fear you had gone too far, especially in the licensures. But what the General Assembly hath finally done will appear very inconclusive on these points; because they wished to avoid offending the Synod and the Presbytery; and the minority in the Assembly took advantage of this to make the business end as much as possible in such a manner as not to be construed against the power of the Synods and General Assemblies. The General Assembly have, however, questioned the regularity of the proceedings of your Synod."

You may see, brethren, in the foregoing extracts, what was the decided opinion of what may be called the collected wisdom of the Presbyterian Church in the United States, on the points for which we contended. And perhaps, in examining the list of commissioners who composed the Assembly, the members will be found to stand as high for learning, integrity, and piety as a subsequent Assembly who differed with them in opinion. You will, moreover, see the reason why we were not profited by the favourable opinion of the Assembly. As to the Assembly's fearing we had "gone too far in the licensures," we will not pretend to say their fears

were altogether without foundation. Nevertheless, the Presbytery that has been without sin on this subject "may cast the first stone." That is, the Presbytery that has licensed as many as the Cumberland Presbytery has, and has licensed no improper person to preach the Gospel.\*

The Assembly addressed a letter to the Synod, informing them that what they had done "was at least of questionable regularity," and requested them to review their proceedings and rectify what might have been done amiss. The Synod, we understood, reviewed, but confirmed, all that their Commission had done. The Council, notwithstanding, were encouraged to forward another petition, after which we were informed by a private letter from another influential member of the Assembly that it would be most proper for us to apply to the Synod to rescind their former order, as it respected the Presbytery; and if they refused, then for the Council to appeal to the Assembly, which "no doubt would redress their grievances." The official letter of that Assembly not having come to hand, the Council thought it prudent to postpone doing anything in it until such letter could be seen. After it was seen, a number of the members of Council thought the prospect of a redress of grievances not flattering; and at the next Council it was voted, by a large majority, to go into a constituted state, and in that capacity address the General Assembly. But by reason of the minority's refusing to acquiesce in what the majority had done, the Council did not still constitute a Presbytery. After some time some of those who were of the majority felt willing to comply with the recommendation of the member who wrote to us and told us to go up by appeal from the Synod, but, before there was an opportunity of doing so (after such conclusion), we heard to our astonishment, that the Assembly had decided in favor of the Synod. This step at once superseded the necessity of an appeal; therefore, the Council, generally, thought it was now time to constitute into a

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\*The Cumberland Presbytery has reason to thank God that every man whom they licensed (except one individual) continues to believe, preach, and practice the gospel of Christ.

Presbytery, and proceed to business again in that capacity. But some of the members wished to make the last effort with the Synod, who now had the business in their own hands and the whole agreed, at the Ridge Meeting House, in August last, to propose their last terms and forward them to the Transylvania Presbytery, or Synod, by two commissioners, to be appointed for that purpose, which was accordingly done; and the terms in substance, were as follows:

“We, the preachers belonging to the Council, both old and young, from a sincere desire to be in union with the general body of the Presbyterian Church, are willing to be examined on the tenets of our holy religion, by the Transylvania Presbytery, Synod, or a committee appointed for that purpose; taking along the idea, however, that we be received or rejected as a connected body; also that all our ministers, ordained and licentiates, retain their former authority, derived from the Cumberland Presbytery. It was, moreover, understood that if the Synod should require the preachers to re-adopt the Confession of Faith it should be with the exception of fatality only.” Our commissioners were directed to go, and take a copy of the above minute, without any discretionary power whatsoever to alter the propositions in any way. And it was unanimously agreed and determined that, if the Synod would not accede to the propositions, on the fourth Tuesday in October ensuing, they (the whole Council) would go into a constituted state. The commissioners accordingly went to the Synod; and, after their return, informed us that the Synod would not consider our case, as a body, but as individuals. Neither would they suffer any of our preachers to make the exception to the Confession of Faith. The commissioners, notwithstanding, obtained an order for an intermediate Presbytery “to be held at Green Town, to consider the case of Mr. Hodge and others.” Here, brethren, we will insert for your information the minute of the last Council, and also the preamble to the minute of our first Presbytery.

“The Council met at Shilo, agreeably to adjournment, on the fourth Tuesday in October, 1809. Whereupon Mr. King

was appointed to the chair and Thos. Donald, Clerk. The Council opened by prayer.

“Enquiry was made what progress the commissioners had made at the Transylvania Presbytery (or Synod) towards bringing about a reconciliation, and how those judicatures had treated the propositions of the last Council. Mr. Hodge, after some preliminary remarks (in which he suggested that he thought the commissioners had obtained a compliance with the substance of the Council’s propositions), read a copy of a petition he had presented to the Synod and the Synod’s order on that petition. After the matter was discussed, and after the minute of the last Council on that subject was read, and compared with the petition, as ordered above, the vote was taken, whether or not the Synod had complied with the propositions of the Council, which was decided in the negative by a very large majority. The vote was then taken whether or not the Council would put the resolution of last Council into execution (which went solemnly to declare that unless the Synod acceded to their propositions they would on this date constitute into a Presbytery), which was carried in the affirmative by a large majority, after which Messrs. William and Samuel Hodge, ministers, and Thomas Donald, elder, withdrew from the Council, virtually declaring their intention to join the Transylvania Presbytery. There being then only three ordained ministers present, it was inquired whether they were now ready to go into a constituted state; when it was found that one of them was embarrassed in his mind. The Council then adjourned and met again, waiting the decision of that member, who at length declared he could not feel free at the present time to constitute. The Council then, together with all the licentiates and candidates present, formed into a committee and entered upon a free conversation on the subject before them; when it was finally agreed to, that each ordained minister, licentiate, elder, and representative shall continue in union, and use their influence to keep the societies in union, until the third Tuesday in March next, and then meet at the Ridge Meeting House; ‘after which each one shall be at liberty from this bond, unless previously to

that time three ordained ministers belonging to this body shall have constituted a Presbytery; then in that case, the committee will consider the bond of union perpetual; which Presbytery, after doing such business as they may think proper, are to adjourn, to meet at the Ridge Meeting House, the said third Tuesday in March, in a Presbyterial capacity.’  
Samuel King, Chairman.”

#### THE COMPACT ENTERED INTO.

“In Dickson County, State of Tennessee, at the Rev. Samuel McAdow’s, this the 4th day of February, 1810.

“We, Samuel McAdow, Finis Ewing, and Samuel King, regularly ordained ministers in the Presbyterian Church, against whom no charge, either of immorality or heresy, has ever been exhibited before any of the Church judicatures, having waited in vain for more than four years, in the meantime petitioning the General Assembly for a redress of grievances, and a restoration of our violated rights, have agreed, and do hereby agree and determine to constitute into a Presbytery, known by the name of the Cumberland Presbytery, on the following conditions:

“All candidates for the ministry who may hereafter be licensed by this Presbytery, and all the licentiates or probationers who may hereafter be ordained by this Presbytery, shall be required, before such licensure and ordination, to receive and adopt the Confession and Discipline of the Presbyterian Church, except the idea of fatality, which seems to be taught under the mysterious doctrine of predestination. It is to be understood, however, that such as can clearly receive the Confession without an exception shall not be required to make any. Moreover, all licentiates, before they are set apart to the whole work of the ministry, or ordained, shall be required to undergo an examination on English grammar, Geography, Astronomy, Natural and Moral Philosophy, and Church History. It will not be understood that examinations on experimental religion and theology will be omitted. The Presbytery may also require an examination on all, or any part, of the above branches of literature, before licensure, if they deem it expedient.”

Thus, brethren, we have, in the integrity of our hearts, endeavored to give you as correct and impartial an account of the rise and progress of the cause, or causes, that have brought us into our present situation, as justice to ourselves and our best recollection would admit. We have not intentionally and unjustly exposed or covered the conduct of any

man or judicature. We have only aimed at giving a clear, honest view of the matter, that you might be enabled to judge for yourselves whether we have acted with propriety or impropriety. If we be in an error we are not conscious of it.

We think, brethren, precipitancy or rashness cannot be justly imputed to us in the present case. We have waited, in an unorganized state, for more than four years, and in that time have repeatedly prayed the judicatures to redress our grievances; and have not contended for one privilege but what we conscientiously believe God's Word allows us. If we had sought or desired an occasion to make a schism in the Church, we had an excellent pretext, after the unprecedented conduct of the Commission of Synod towards us. But instead of this we voluntarily suspended our operations as a Presbytery, and waited from year to year (being beset on every side) hoping the matter might be settled on principles just and equitable. We said, "beset on every side." Yes, brethren, a number of you know that various sectaries took the advantage of our forbearance and peculiar situation and endeavored to rend our flourishing congregations. The swarms of heretics and fanatics also who came down from the upper counties of Kentucky gave us much perplexity. Yet we determined through grace to stand firm, and continue to appeal to the reason and justice of the higher judicatures, until we were assured they were not disposed to restore our rights. This assurance we have at length obtained; and there was no alternative left us, but either to violate our solemn vows to our brethren,—act contrary to our reason and conscience,—or form ourselves into a Presbytery separate from the Kentucky Synod. This step, at first view, may alarm some of you. But be assured, brethren, that, although we are not now united to the Presbyterian Church by the external bond of discipline, we feel as much union in heart as formerly, and we would further assure you that we have not set up as a party inimical to the general Presbyterian Church; no, we ourselves are Presbyterians and expect ever to remain such, whether united to the general body or not.

Permit us, further, to inform you what we do know to be an incontestable fact. That is, there are a number of ministers who are kept in the bosom of the Presbyterian Church, who have deviated infinitely more from the Confession than we have done. One can boldly deny the imputation of Christ's active obedience to the sinner, in justification, and publish it to the world; another can deny the operation of the Holy Spirit, in the work of regeneration,\* and yet we, who only object to the unqualified idea of eternal reprobation, cannot be indulged in that objection!

It has been said that if all the ministers belonging to the Council had continued together, and had constituted into a Presbytery, it would have been much better. Brethren, if individuals, for reasons best known to themselves and their God, have thought proper to change a position in which we thought God had blessed them, we have not yet felt at liberty to do likewise. We have to account to God and our own consciences, as to how we have acted in this matter.

Some have feared because of the smallness of our number. Brethren, we have yet left, in the bounds of our Presbytery, almost as many ministers, exclusive of candidates, as our blessed Lord chose to spread the Gospel through the world. And whilst we acknowledge the greatest inferiority to those twelve champions of the Gospel, yet we profess to believe that neither the standing nor reputation of a people depends on their numbers. If this were admitted, the Roman Church, when it was at its zenith of superstition and idolatry, would have been the most prominent and respectable in the world. But the Reformation and subsequent events have taught us that was not the case with it. But, notwithstanding, some individuals have changed their ground; yet, as far as we have learned, but very few of the numerous and respectable societies or congregations have abandoned us; and many individuals of those few were partly constrained to do as they have done from their local situation.

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\*See Mr. Davis' publication, in South Carolina, and Mr. Craighead's, of Tennessee.

Some of you are afraid you cannot be supplied by the Presbytery. Brethren, the same Almighty Lord of the harvest who heard your prayers on the subject ten years ago is willing to hear again. Is the harvest indeed great and the laborers few? Well, then, pray the Lord to send more laborers.

Some fear lest the Presbytery should take too much liberty in licensing and ordaining unlearned men. If by this you mean you are afraid the Presbytery (in some instances) will dispense with the dead languages, your fears are well grounded. But if you are afraid we will license and ordain men without a good English education, we hope your fears are without foundation.\* And while we thus candidly declare our intention to receive men as candidates, those without a knowledge of the languages, who are men of good talents, and who appear to be evidently called of God (believing, as we do, that there are thousands in the Presbyterian Church of such description, who would make more able and respectable, and more useful ministers of Jesus Christ than many who say they have been brought up at the feet of Gamaliel), we would nevertheless recommend it to all parents who have sons who promise fair for the ministry, to have them taught the Greek language, especially the Greek Testament. Some of us, brethren, intend to do ourselves what we here recommend, and thereby more fully convince you of our sincerity.

We would just add, that we have it in view as a Presbytery to continue or make another proposition to the Synod of Kentucky or some other Synod for a re-union. If we can obtain it without violating our natural and scriptural rights it will meet the most ardent wish of our hearts. If we cannot, we hope to be enabled to commit ourselves and our cause to Him who is able to keep us. Brethren, if we live at the feet of the Redeemer and feel constant dependence on Him, we are not afraid but that He will be our God and director. And if God be for us, who can be against us? We therefore entreat you, brethren, to watch and be sober.

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\*See the preamble to the minutes of our first Presbytery.



Cultivate friendship with all societies of Christians who maintain the fundamental doctrines of the Gospel, and whose lives comport with their profession. But avoid the multitude of deceivers who have gone out into the world and strike at the root of all religion. Avoid them, we entreat you, as you would the open enemies of the Cross of Christ.

Gird on the whole armour of God. Fight the good fight of faith, live in peace, and the God of peace shall be with you. Amen.

Samuel M'Adow, Moderator.

'Test:—Young Ewing, Clerk.

"The Cumberland Presbytery, which was constituted at the time of the organization of the Church, and which originally consisted of only three ministers, was in three years sufficiently large to form three Presbyteries."—From Preface to Confession of Faith, 1883.

"Whereas, This Cumberland Presbytery has made every reasonable effort to be reunited to the general Presbyterian Church; and, whereas, from the extent of our bounds, the local situation of our members, their number, etc., it is inconvenient to do business in but one Presbytery; and, whereas, the constitution of a Synod would be desirable, and, we trust, of good consequences in various respects, and particularly as a tribunal having appellate jurisdiction.

"Resolved, therefore, by this Cumberland Presbytery, that a part of the present Cumberland Presbytery shall be, and is hereby directed to constitute a Presbytery, known by the name of the Elk Presbytery. The boundaries are as follows, to wit: Beginning at the mouth of Duck River, thence a due north course to the top of the Tennessee Ridge, thence eastwardly along the top of said ridge to Cumberland Mountain, thence south to Tennessee River, thence easterly southwardly, and westwardly to undefined boundaries; to be composed of the following members, to wit: the Rev. Messrs William McGee, Samuel King, James B. Porter, Robert Bell, and Robert Donnell; to meet at Mount Carmel meeting-house on the first Tuesday in August next. Mr.

McGee (or in case of his absence, Mr. Bell) is hereby directed to open Presbytery by a sermon. The following persons shall be considered under the direction of said Presbytery (to wit, Elk Presbytery): John Carnahan, James Stewart, and Elisha Price, when constituted. Also that another part of the present members of this Cumberland Presbytery shall be, and are hereby directed to constitute a Presbytery to be known by the name of Logan Presbytery; to be composed of the following members, to wit: the Rev. Messrs. Finis Ewing, William Harris, Alexander Chapman, and William Barnett; to meet on the fifth Tuesday in August next at Red River meeting-house, Logan County, Kentucky, the Presbytery to be opened by a sermon to be delivered by Mr. Finis Ewing, or Mr. Harris, in case of his absence. The following persons shall be considered under the direction of said Logan Presbytery, when constituted, to wit: Philip McDaniel, Robert McCorkle, Green P. Rice, John Barnett, and Daniel Boe; the boundaries of said Presbytery to be as follows: Beginning at the mouth of Duck River, thence a direct line to Cumberland River, so as to include the settlements of Yellow Creek, thence up Cumberland River to the mouth of Half-Pone Creek, thence a direct course to the Kentucky State line, where the old Kentucky road crosses said line, yet so as to leave Karr's Creek society in the bounds of said Presbytery, leaving out what is called the Ridge society; thence eastwardly to undefined boundaries (it is understood, however, that the counties of Cumberland and Wayne, in Kentucky, are not to be considered in the bounds of said Presbytery), thence northward and westward to undefined boundaries from each point. It is expressly understood, however, that lines striking off from said bounds of said Logan Presbytery are to include William and John Barnett and Philip McDaniel, yet not so as to include any society in the Cumberland Presbytery, or territory to form one on, and it is hereby understood that all the congregations, etc., within the natural or prescribed boundaries of either of the Presbyteries shall be considered under the care of their respective Presbyteries; and it is hereby expressly directed and mutually agreed to, that said

Elk and Logan Presbyteries meet this Presbytery with their documents, on the first Wednesday in October, at the Beech meeting-house, in Sumner County, and State of Tennessee, for the express purpose of constituting a Synod; and it is hereby directed that the committee appointed to draw up a complete, though succinct, account of the rise, doctrines, etc., of the Cumberland Presbytery, make their report to the Synod when constituted, and it is hereby ordered that Messrs. Bell, Kirkpatrick, and Ewing divide in three equal parts, as near as may be, all the books and money belonging to the Cumberland Presbytery Library, and allot to this Cumberland Presbytery one part, and to the members intended to compose the Elk Presbytery one part, and to the members intended to compose the Logan Presbytery the other part, to be disposed of in their several Presbyteries according to the institution of the library."—From Minutes of Cumberland Presbytery, April, 1813.

## II. THE CUMBERLAND SYNOD.

"These Presbyteries (Cumberland, Elk, and Logan), in October, A. D. 1813, met in the Beech Church, in Sumner County, Tennessee, and constituted a Synod."—From Preface to Confession of Faith, 1883.

At these sessions of Synod, the brief view of the doctrines and discipline, etc., of the Cumberland Presbyterian Church, in Woodward's edition of Buck's Theological Dictionary, was unanimously approved of, and directed to be published in that work, and reads as follows:

Doctrines.—It has been already observed, that the Presbyterian Confession is their (Cumberland Presbyterians') Confession, "except the idea of fatality." But as some may think this too indefinite, it may be proper here to state explicitly all the essential doctrines or tenets they hold.

1st. That Adam was made upright, pure, and free; that he was necessarily under the moral law which binds all intelligences; and having transgressed it, he was consequently, with all his posterity, exposed to eternal punishment and misery.

2d. That Christ, the second Adam, represented just as many as the first, consequently made an atonement for all, which will be testified in due time. But that the benefit of that atonement will be received only by the true believer.

3d. That all Adam's family are totally depraved, conceived in sin; going astray from the womb, and all children of wrath, therefore must be born again, justified and sanctified, or they never can enter into the kingdom of God.

4th. That justification is by faith alone as the instrument; by the merits of Christ's active and passive obedience, as the meritorious cause; and by the operation of God's Spirit as the efficient, or active cause.

5th. That as the sinner is justified on the account of Christ's righteousness being imputed or accounted to him; on the same account he will be enabled to go on from one degree of grace to another, in a progressive life of sanctification, until he is fit to be gathered to the garner of God, who will certainly take to glory every man who is really justified; that is, he, Christ, has become wisdom (light to convince), righteousness (to justify), sanctification (to cleanse), and redemption (to glorify), to every truly regenerated soul.

6th. That there are three persons in one God, co-equal, essential, and eternal; or, the Father, Word, and Holy Ghost: that the Mediator is very God and very man; two distinct natures in the same person; therefore, while humanity obeys and suffers, there is infinite worth or merit given to that obedience and suffering, by the union of the divinity.

They dissent from the Confession—in, 1st. That there are no eternal reprobates. 2d. That Christ died, not for a part only, but for all mankind. 3d. That all infants, dying in infancy, are saved through Christ and sanctification of the Spirit. 4th. That the Spirit of God operates on the world, or as co-extensively as Christ has made the atonement, in such a manner as to leave all men inexcusable.

As to the doctrines of predestination and election, they think (with many eminent and modest divines who have written on the subject) they are mysterious, they are not well pleased with the application that rigid Calvinists or

Arminians make of them. They think the truth, of that, as well as many other points in divinity, lies between the opposite extremes. They are confident, however, that those doctrines should not, on the one hand, be so construed as to make anything the creature has done, or can do, at all meritorious in his salvation; or to lay any ground to say, Well done !; or to take the least degree of the honor of our justification and perseverance from God's unmerited grace and Christ's pure righteousness. On the other hand, they are equally confident those doctrines should not be so construed as to make God the author of sin, **directly or indirectly**; either of Adam's sin, or any subsequent sin of his fallen race; or to contradict the express and repeated declarations of God's Word on the extent of the atonement and operations of the Spirit; or to contradict the sincerity of God's expostulations with sinners, and make his oath to have no meaning, when he swears he has no pleasure in their death; or to resolve the whole character of the Deity into his sovereignty, without a due regard to all other of his adorable attributes. Finally, they think those doctrines ought to be thought and spoken of in a consistency with God's moral government, which always has for its object the happiness of his intelligent creatures, when it consists with his justice and the honor of the divine throne.

Discipline.—Their discipline is Presbyterian. Their congregations are governed by church sessions and Presbyteries, and they now have appointed to constitute a Synod to be called the Cumberland Synod. They are tenacious of the Presbyterian form of Church government; because they believe it to be equitable, just, and scriptural; and because it tends to cherish in their minds, and the minds of their congregations, a love of civil as well as religious liberty; its being so congenial to the republican form of government established in these United States; which stands equally aloof from monarchy and anarchy.

On the subject of their deviation from the old rule with respect to literary qualification for the ministry, they would not be understood as undervaluing that precious handmaid to the useful work of a Gospel minister. They have in two

publications, called A Circular Letter, and A Reply, given abundant evidence of their anxiety to acquire and promote useful knowledge, by recommending the study of the Greek Scriptures, and by their exertions to procure a circulating library of theological, historical, and scientific books, which they are increasing from time to time; notwithstanding, they are persuaded that God has and does call many to preach the Gospel who have no knowledge of the original languages, and who have been and are eminently useful in their profession. They have therefore dispensed with that condition, as not being absolutely necessary; yet they recommend it, when it can conveniently be acquired. From pursuing this course they have, as might be expected, some learned and some less learned preachers of the everlasting Gospel; the latter of whom appear in many instances to be as useful in promoting the work of God as the former.” —From Rev. James Smith’s History, pp. 645, 648.

### Confession of Faith.

“At this same meeting of Synod, too, a committee was appointed to prepare a Confession of Faith. The next year, A. D., 1814, at Sugg’s Creek church, Wilson County, Tennessee, the report of the Committee was presented to Synod, and the revision of the Westminster Confession of Faith, which they presented, was unanimously adopted as the Confession of Faith of the Cumberland Presbyterian Church.” —From Preface to Confession of Faith, 1883.

Following is the preface to the Confession of Faith adopted by the Synod in 1814:

“The Synod, in the execution of the following work, have only exercised a right which they think every association, or body of Christians, is entitled to by the Great Head of the Church, as well as by the laws of the land. If the reader wishes to know the occurrences that gave rise to this state of things he is referred to the Circular Letter [inserted above] of the late Cumberland Presbytery; to a Series of Letters commonly called A Reply to a Pastoral Letter of West Tennessee Presbytery; and to Buck’s The-

ological Dictionary, third edition, under the letter P, printed in Philadelphia. It will be seen that the Synod has followed the plan of the Westminster Divines, in their Confession, Shorter Catechism, and Directory. In the Discipline they have necessarily made some considerable alterations: not in the general plan of Church government (which they deem the best extant), but in the literary qualifications, etc.

“With respect to the Confession, it will be seen the Synod has adopted many whole chapters of the old, almost verbatim; in others they have retained part and expunged part; sometimes adding a section, or part of a section, to make the sense more full and more compatible with their ideas of the Gospel. They have endeavored to erase from the old Confession the idea of fatality only, which has long since appeared to them to be taught in part of that book. But notwithstanding, the Synod have ventured to model, to expunge, and to add to the Confession of the General Presbyterian Church, yet they are free to declare that they think that to be, in the main, an admirable work, especially to have been framed so shortly after the Roman superstition and idolatry had almost covered the whole Christian world. The Synod feel the greatest veneration for the compilers of that work; yet they think it not presumptuous, nor arrogant, to adopt what they think right, and expunge what they think erroneous, from any human creed. In conformity to this principle, they wish this work to be examined; that is, let it be tried, not by former Confessions, but by the infallible Word of Truth. If it speaks not according to the Bible, let it be rejected; but if it does, let it not be condemned because it does not agree with all the Fathers.

“The Synod have been prompted by a desire to do good in presenting this Confession and Discipline to the churches under their care, and to the world. If it should be a means, in God’s hand, of promoting the kingdom of the Redeemer, it will meet the highest object the Synod had in view.”

### III. THE GENERAL ASSEMBLY.

“The subject of a General Assembly was again taken up, and after mature deliberation and fervent and solemn prayer—the Great Head of the Church, in an unusual manner, seemed graciously to afford his light—a decision was made in favor of a General Assembly. The vote stood thus: for a Delegated Synod, 20; for a General Assembly, 67.”—From Minutes, 1828.

(Cumberland Synod segments into three Synods: Cumberland, Green River, and Columbia.—A. C. B.

“Subsequently the formation of the General Assembly took place. This judicature, at its first meeting, A. D., 1829, at Princeton, Kentucky, made such changes in the Form of Government as were demanded by the formation of this new court.”—From Preface to Confession of Faith, 1883.

#### Changes in the Form of Government.

Resolved, That Henry F. Delaney, F. R. Cossitt, Hiram A. Hunter, and Richard Beard be appointed a committee to revise and prepare for publication those parts of the Form of Government of the Cumberland Presbyterian Church which require alteration in order to adapt them to the constitution of a General Assembly.—MSS. Minutes, 1829, p. 14.

#### Synod's Confession of Faith Revised.

“In compiling the Confession of Faith, the Fathers of the Cumberland Presbyterian Church had one leading thought before them, and that was so to modify the Westminster Confession as to eliminate therefrom the doctrine of universal foreordination and its legitimate sequences, unconditional election and reprobation, limited atonement, and divine influence correspondingly circumscribed. All the boldly-defined statements of the doctrine objected to were expunged, and corrected statements were made. But it was impossible to eliminate all the features of hyper-Calvinism from the Westminster Confession of Faith by simply expunging words, phrases, sentences, or even sections, and



then attempting to fill the vacancies thus made by corrected statements or other declarations, for the objectionable doctrine, with its logical sequences pervaded the whole system of theology formulated in that book.

“The compilers knew this, and they also knew that a book thus made must necessarily have some defects. Still, they felt assured that they had prepared one which could not be fairly and logically interpreted without contradicting the most objectionable features of hyper-Calvinism; and they felt, too, that they had formulated a system of doctrines which any candid enquirer after truth might understand. They did not, however, claim that the time would never come when there might be a demand for a restatement of these doctrines, which would set forth more clearly and logically the system of theology believed and taught by the Cumberland Presbyterian Church. That time did come, and so general was the desire throughout the Church to have the Confession of Faith revised, that, at the General Assembly which convened in the city of Austin, Texas, A. D., 1881, a paper was introduced looking to that end, and it was adopted by a unanimous vote.

“In view of the great importance of the work, two Committees were appointed, and it was made the duty of the First Committee to revise the Confession of Faith and Government, and of the Second to review and revise the work of the First. The Committees met at Lebanon, Tennessee, the seat of Cumberland University, where every facility could be enjoyed for such labors, having free access to a fine theological library. After bestowing great labor upon their work, giving every item earnest and prayerful attention, the Committees completed the tasks assigned them, and the results of their labors were published in pamphlet form and in weekly papers of the Church for information, ‘that criticism might be made by those desiring to do so.’ The Committees, after receiving these criticisms, again met, and remained in session for a number of days, giving careful and prayerful consideration to all the suggestions made. They then completed their work without a single dissent, and submitted the result to the General Assembly, which

convened in the city of Huntsville, Alabama, A. D., 1882.”  
—From Preface to Confession of Faith, 1883.

Accompanying the copy of the proposed revision, the two Committees made the following report:

To the General Assembly of the Cumberland Presbyterian Church, to convene at Huntsville, Alabama, May, 1882.

Reverend and Dear Brethren:—The Committees appointed by the last General Assembly to revise the Confession of Faith and Form of Government of the Cumberland Presbyterian Church respectfully submit the following report:

The First Committee met in Lebanon, Tennessee, on November 18, 1881—all the members being present—and continued its labors until the evening of the 24th, holding three sessions daily, Sunday excepted.

The Second Committee convened November 25, 1881, at the same place—Ministers C. H. Bell, W. J. Darby, and Ruling Elder R. L. Caruthers, being present—and continued its labors one week, holding three sessions daily, Sunday excepted.

After this meeting the work of the Committees was printed in pamphlet form and distributed for information, that suggestions might be made by those desiring to do so.

The Committees met again May 13, 1882, and continued in session until the evening of the 18th. Present—Ministers C. H. Bell, J. W. Poindexter, W. J. Darby, S. G. Burney, A. Templeton, and Ruling Elder John Frizzell. During this meeting all the suggestions made, and they were numerous, received careful consideration, and we now submit the result of our deliberations.

By request, the First Committee was present with the Second at its meetings, and participated in its deliberations.

The discussions were full and free, evincing a wonderful harmony of opinion. Some preferences as to verbal form had, of course, to be surrendered. This, however, was always done in the true spirit of compromise, and in no instance was there a negative vote.

Mindful of the fact that the Committees were appointed, not to make a new Confession, but to revise the old one, we

have studied not to transcend our authority, and we have no hesitation in saying that we have not changed a single doctrine fundamental to your scheme of theology, or any of its logical correlates.

We have attempted to draw with precision the boundaries between your theological scheme and those of other Churches, and then to allow the utmost liberty of opinion within those bounds. Hence, we have not sought to put into this revision tenets peculiar to any man, but only such as are common to all, and we think we have so far succeeded in this endeavor as that every intelligent Cumberland Presbyterian can cheerfully subscribe to all that is set forth in the revision.

Of course, if individuals should insist upon having their peculiar opinions on matters of secondary importance made the standard of orthodoxy, they may, easily enough, find ground of objection. But any revision that goes largely into detail on trivial matters could not and should not meet with general favor.

### **Reasons for Revision.**

We deem it not improper to indicate some of the reasons which render revision proper and desirable:

1. **Literature.**—Our Confession is little more than an expurgated edition of the Westminster Confession, which was written nearly two hundred and forty years ago, a period of time sufficiently long to produce important changes in any living language, especially of an enterprising and literary people. It is not, therefore strange that some words in our Book are obsolete, or nearly so; that others have varied their meaning, more or less, and thus become sources of obscurity. Solecisms in grammar, redundancies in words, and tautologies in both words and ideas, largely abound. These are patent to the ordinary reader. They are not vital defects, yet they are of sufficient importance to render revision desirable.

2. **Modes of Expression.**—Many phrases and forms of verbal combinations, which were intelligible two hundred and fifty years ago, are not so now. Our book abounds with such

expressions, e. g., The grace of faith. What does this mean? Is grace one thing and faith another, or are grace and faith the same thing? Perhaps ninety out of a hundred would understand them to mean different things, and would be quite surprised when told they mean the same thing. Do the Cumberland Presbyterian pulpit and press ordinarily, or even rarely, use these words in such combination? Does the Bible ever so use them? The expression is not only misleading, but confounds things in some respects essentially distinct, and hence leads to error.

Other examples involving still greater obscurity are numerous. Note the following: natural liberty, freedom and power to will, ability of will, he doth not perfectly will, renewing their wills. Now these expressions cannot be construed in intelligible thought in the light of our modern psychology. They are unintelligible to everybody unless they are studied in the light of the old psychology which confounded the sensibilities and the will, and is the stronghold of philosophical necessity, and of atheism as well. These expressions to the modern reader are quite without meaning, but when taken in the sense intended by their authors, contain the very essence of fatality, and do, of themselves, subject us to the charge of holding to contradictory doctrines, namely, that of freedom and that of necessity. Other examples of a similar character might, but need not, be given.

3. Discrepancy of Doctrinal Statements.—The great central doctrine of the Westminster Confession is that of universal foreordination. The logical cognates are, unconditional election and reprobation, limited atonement, and a corresponding limitation of Divine influence. The compilers of our Confession were not in a condition to do much more than expunge the more boldly-defined statements of distinctive Westminsterism, and to make counter-statements. This is no matter of surprise, for it is simply impossible to eliminate distinctive Calvinism from the old Confession by merely expunging here and there a word, or clause, or sentence, or a section, and then attempt to fill the gap with a counter-statement, for the evil is not here or there but ev-

erywhere. Hence, the doctrinal statements require to be largely rewritten. No one doubts that our compilers did intend to deny universal foreordination, unconditional election and reprobation, limited atonement, and the partial influence of the Holy Spirit. Our pulpit and press have faithfully and prominently, from first to last, reflected this intention of the compilers. Traces of Westminsterism are discoverable in many parts of our Confession, notably in chapter v., sections 3 and 4; chapter viii., section 1. The last cited section is a slight modification of the old Confession, but, when analyzed, teaches limitarianism nearly or quite as strongly as does the old.

Chapter ix. gives the philosophy of universal foreordination, in every essential respect, just as the Westminster Confession, which, as formerly stated, is the philosophy of necessity. The same philosophy pervades chapter x. Chapter xi., sections 3 and 4, teach, by necessary inference, a limited atonement.

It is, hence, very apparent that while our compilers fully intended to eliminate all limitarian doctrine, they, nevertheless, did retain many things inconsistent with this intention.

4. Length and Style.—Our Confession and Catechism seem to us to be too long, unnecessarily diffuse and tedious, especially for children. Our revision proposes to shorten these by more than one-half, without omitting anything, as we believe, of pertinence and value.

5. Arrangement of Matter.—The Introduction, for obvious reasons, is placed at the beginning of the book, instead of the Form of Government, as heretofore. The order of the subjects in our Confession is the same as in the Westminster. This is a logical presentation of limitarian theology, but is inconsistent with our system of doctrines. For this reason we propose a change in the order of subjects. The headings of some of the chapters in the present book are, in our judgment, not pertinent to the matter arranged under them, hence changes are proposed, e. g., Effectual Calling is changed to Divine Influence, and the matter arranged accordingly. Perseverance of the Saints

is changed to Preservation of Believers, which better suits the subject matter under that heading. A new heading is proposed, Regeneration, also one entitled Growth in Grace. These added headings seem to be necessary to a full and logical presentation of our doctrinal scheme.

6. Our Children and Rising Ministry.—The Church, we believe, owes it to its children, and especially to its rising ministry, to present them with a condensed, logical, and self-consistent statement of its doctrines, so plain that they can be readily understood and not easily misrepresented.

7. Opinions of Others.—A proper regard to the opinion of other Churches and individuals who may wish to look into our doctrines seems to require revision. Through the good providence and grace of God, our Church has prospered and attained some degree of fraternal recognition among the evangelical Churches of Christendom, hence an increased desire on the part of those who have hitherto known but little of us to be better informed as to our faith and practice.

8. Opinions of Our Own Men.—For forty years, probably longer, many leading men of the Church have believed revision necessary in order that we might have a clear and distinct statement of doctrine which would free us from all reasonable ground of misapprehension and misrepresentation. Even our compilers themselves, who did their work as well as it was possible under the circumstances, often confessed and deplored the defects of the book. Some efforts at revision have been made heretofore, but seem to have been premature. It is now believed by many that the time has fully come when the work can be satisfactorily done.

9. Changes Generally.—Some changes in the Confession have been made for improvement in style, some for brevity, some for clearness of statement, some for doctrinal consistency.

### **Form of Government.**

As to the Government of the Church, no material changes are proposed, except such as were found necessary to pre-

sent more clearly the practice and usage of our Church courts, and such as were deemed proper to develop more certainly our work and resources.

In the Constitution, which takes the place of what is now termed Form of Government, are included only those fundamental principles which, with the Rules of Discipline, are not to be changed without the approval of the Presbyteries.

The General Regulations include such provisions, not fundamental in character, as are of general application, and like the Directory for Worship, and Rules of Order, may be amended by a two-thirds vote of the General Assembly. This distinction is deemed desirable in order that our progress as a denomination may not be retarded by delays in perfecting our plans of operation from time to time.

Except the Rules for Discipline, the revision submitted is not so long as the corresponding matter in our present book. We have studied brevity, but found we could not say less and present what was necessary to a clear understanding of the matter.

Our present Form of Process is so meager in detail as to be almost worthless, and while we agree that Church trials are greatly to be deplored, and always to be avoided when possible, yet we feel that nothing less could be said than is contained in the Rules of Discipline, and do the subject justice.

The Directory for Worship has been much abbreviated in matters where the judgment of the minister is a sufficient guide. and some features have been added, thought to be necessary to every pastor's convenience. The entire chapter on the Mode of Inflicting Church Censures has been omitted, as that subject is treated in Rules of Discipline.

### **Proof Texts.**

The texts of Scripture sustaining the positions taken are not now presented, as this may be done after the subject has been acted upon by the Presbyteries.

### Conclusion

We have given the work assigned us our earnest and prayerful consideration, and humbly hope that the revision herewith submitted is such as was contemplated in our appointment, and as will promote the welfare of our beloved Zion.

Respectfully submitted,  
 S. G. Burney,  
 A. Templeton,  
 John Frizzell,  
 First Committee.

C. H. Bell.  
 J. W. Poindexter,  
 W. J. Darby,  
 R. L. Caruthers,  
 Second Committee.

May 19, 1882.

“That General Assembly [1882], in Committee of the Whole, considered with great patience and care every item in the entire book, taking a vote on each one separately, and at the close of each chapter or subject taking a vote upon it as a whole. In this way the entire book, from beginning to end, was carefully and prayerfully scrutinized, and necessary changes were made—the most of them verbal; and there was not in the final vote a single negative!

“Having completed its work, the General Assembly transmitted the book to the Presbyteries for their approval or disapproval,” (From Preface to Confession of Faith, 1883), as is shown in the accompanying resolutions from the Minutes of that meeting (1882), page 36:

Resolved, That the Revised Confession of Faith and Government of the Cumberland Presbyterian Church, presented by the Committee on Revision, as amended by the Committee of the Whole, be and the same is hereby approved and transmitted to the Presbyteries for their action, in the following manner, that is to say:

1. Each Presbytery will, in one vote, express its approval



or disapproval of the Introduction, the Confession of Faith, and the Catechism, taken together as a whole.

It being hereby distinctly understood and declared that those who have heretofore received and adopted the Confession of Faith approved by the General Assembly in 1829, and who prefer to adhere to the doctrinal statements contained therein, are at liberty to do so.

2. Each Presbytery will, in one vote, express approval or disapproval of the Constitution and the Rules of Discipline, taken together as a whole.

3. Each Presbytery will, in one vote, express approval or disapproval of the General Regulations, the Directory for Worship, and the Rules of Order, taken together as a whole.

### **Revised Confession of Faith Printed and Distributed for Examination.**

It was ordered that the Stated Clerk of the General Assembly shall have the Revised Confession of Faith and Government printed, and that a copy shall be sent to each of the ordained ministers, licentiates, candidates, and clerks of church sessions.—1882, p. 38.

### **Proof Texts Selected.**

Whereas, There is a reasonable probability that a large majority of the Presbyteries will adopt the revision of the Confession of Faith, transmitted to them by this General Assembly, therefore,

Resolved, That the Committee on Revision be instructed to prepare appropriate proof-texts for the Revised Confession of Faith, and to submit the same to the next General Assembly. Adopted.—1882, p. 38.

The Committee on Revision, directed by the General Assembly at its last meeting to report suitable proof-texts for the Revised Confession of Faith, have discharged that duty, and submit the same herewith.—1883, p. 42.

“The reports from the Presbyteries to the next General Assembly, which convened in the city of Nashville, Tennessee, A. D., 1883, showed that this work had been almost

unanimously adopted. The General Assembly, having reviewed these returns from the Presbyteries, formally declared said book to be the Confession of Faith and Government of the Cumberland Presbyterian Church.”—From Preface to Confession of Faith, 1883.

## CONFESSION OF FAITH ADOPTED—1883.

Below will be found the acts of the General Assembly in finally declaring the Revised Confession of Faith and Government to be of binding authority:

### Report on Revision.

The Stated Clerk made the following report on Revision, which was concurred in, whereupon it was declared that the Confession of Faith and Government of the Cumberland Presbyterian Church had been constitutionally changed, and that the Revised Confession, as approved by the Presbyteries, is hereafter to be of binding authority upon the churches:

#### I. Introduction, Confession of Faith, and Catechism.

Approving unanimously — Alabama, Albion, Anderson, Athens, Bacon, Bartholomew, Bell, Bethel, Charlotte, Chilli-cothe, Colesburg, Colorado, Davis, Elk, Foster, Georgia, Guthrie, Helena, Hopewell, Indiana, Kansas, Kirkpatrick, Knoxville, La Crosse, Leavenworth, Lexington, Little River, Logan, Madison, Marshall, McGready, McLin, Memphis, Mississippi, Morgan, Mound Prairie, Nebraska, New Hope, Obion, Ocoee, Oxford, Red Oak, Republican Valley, Rocky Mountain, Rushville, Salem, Salt River, San Jacinto, San Saba, Searcy, Sparta, St. Louis, Tennessee, Texas, Trinity, Waco, West Iowa, West Prairie, White River, White Rock, Yazoo—61.

Approving with one dissenting vote—Cumberland, Mayfield, Platte, Richland, Sacramento, Tehuacana, Wabash—7.

Approving, vote not given—Arkansas, Burrow, Decatur, Elyton, Ewing (Ark.), Ewing (Ill.), Greenville, Guadalupe,

Illinois, Iowa, Jackson, Kentucky, King, Kirksville, Louisiana, Mackinaw, McGee, McMinnville (3 dissenting votes), Miami, Muskingum, Nashville, Neosho, Nolin, Oregon, Ouachita, Parsons, Pennsylvania (3 dissenting votes), Red River, Sangamon, Springfield, Tulare, Vandalia—32.

Disapproving—Allegheny, California, Hiwassee, New Lebanon, Ozark, Springville, Talladega, Walla Walla, Willelamette (tie vote) —9.

Not reporting—Gregory, Hot Springs, Washington—3.

Presenting memorials—Ohio, Princeton, Union, Wichita (protest)—4.

Approving unanimously .....	61
Approving, one dissenting vote.....	7
Approving, vote not given .....	32—100
Disapproving .....	9
Not reporting .....	3
Presenting memorials .....	4

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116

## II. Constitution and Rules of Discipline.

Approving unanimously—Alabama, Albion, Anderson, Athens, Bacon, Bartholomew, Bell, Bethel, Charlotte, Chilli-cothe, Colesburg, Colorado, Davis, Elk, Foster, Georgia, Guthrie, Helena, Hopewell, Indiana, Kansas, Kirkpatrick, Knoxville, LaCrosse, Leavenworth, Lexington, Little River, Logan, Madison, Marshall, McGready, McLin, McMinnville, Memphis, Mississippi, Morgan, Mound Prairie, Nebraska, New Hope, Obion, Ocoee, Oxford, Pennsylvania, Red Oak, Republican Valley, Richland, Rocky Mountain, Rushville, Sacramento, Salem, Salt River, San Jacinto, San Saba, Searcy, Sparta, St. Louis, Tennessee, Texas, Trinity, Vandalia, Waco, West Iowa, West Prairie, White River, White Rock, Yazoo—66.

Approving with one dissenting vote—Cumberland, Mayfield, Platte, Tehuacana, Wabash—5.

Approving, vote not given—Arkansas, Burrow, California, Decatur, Elyton, Ewing (Ark.), Ewing (Ill.), Green-

ville, Guadalupe, Hiwassee, Illinois, Iowa, Jackson, Kentucky, King, Kirksville, Louisiana, Mackinaw, McGee, Miami, Muskingum, Nashville, Neosho, Lebanon, Nolin, Oregon, Ouachita, Ozark, Parsons, Red River, Sangamon, Springfield, Tulare, Walla Walla, Willamette—35.

Disapproving—Allegheny, Springville, Talladega—3.

Not reporting—Gregory, Hot Springs, Washington—3.

Presenting memorials—Ohio, Princeton, Union, Wichita (protest)—4.

Approving unanimously . . . . .	66
Approving, one dissenting vote . . . . .	5
Approving, vote not given . . . . .	35—106
Disapproving . . . . .	3
Not reporting . . . . .	3
Presenting memorials . . . . .	4

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116

### III. General Regulations, Directory for Worship, and Rules of Order.

Approving unanimously—Alabama, Albion, Anderson, Athens, Bacon, Bartholomew, Bell, Bethel, Charlotte, Chillicothe, Colesburg, Colorado, Davis, Elk, Foster, Georgia, Guthrie, Helena, Hopewell, Indiana, Kansas, Kirkpatrick, Knoxville, LaCrosse, Leavenworth, Lexington, Little River, Logan, Madison, Marshall, McGready, McLin, McMinnville, Memphis, Mississippi, Morgan, Mound Prairie, Nebraska, New Hope, Obion, Ocoee, Oxford, Pennsylvania, Red Oak, Republican Valley, Richland, Rocky Mountain, Rushville, Sacramento, Salem, Salt River, San Jacinto, San Saba, Searcy, Sparta, St. Louis, Tennessee, Texas, Trinity, Vandalia, Waco, West Iowa, West Prairie, White River, White Rock, Yazoo—66.

Approving, with one dissenting vote—Cumberland, Mayfield, Platte, Tehuacana, Wabash—5.

Approving, vote not given—Arkansas, Burrow, California, Decatur, Elyton, Ewing (Ark.), Ewing (Ill.), Greenville, Guadalupe, Hiwassee, Illinois, Iowa, Jackson, Kentucky,

King, Kirksville, Louisiana, Mackinaw, McGee, Miami, Muskingum, Nashville, Neosho, New Lebanon, Nolin, Oregon, Ouachita, Ozark, Parsons, Red River, Sangamon, Springfield, Talladega, Tulare, Walla Walla—35.

Disapproving—Allegheny, Springville, Willamette (tie vote)—3.

Not reporting—Gregory, Hot Springs, Washington—3.

Presenting Memorials—Ohio, Princeton, Union, Wichita (protest)—4.

Approving unanimously .....	66
Approving, one dissenting vote .....	5
Approving, vote not given .....	35—106
Disapproving .....	3
Not reporting .....	3
Presenting memorials .....	4

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 116

—1883, pp. 10, 11.

### Memorials on Revision.

Memorials on Revision were presented, and referred to the Committee on Revision.—1883, p. 12.

### Report on Revision.

The report of the Committee on Revision was amended and adopted, and is as follows:

The Committee on Revision, having carefully considered the memorials upon the subject referred to them, and also the various propositions submitted to them by individual brethren suggesting amendments to the Confession of Faith, respectfully report:

In view of the fact that this subject has been so recently acted upon by the Presbyteries, and that their action, approving the Revised Confession of Faith, has been so nearly unanimous, it seems to us unwise to attempt, at this time, to determine what, if any, propositions to amend, coming from individuals, are proper or ought to be transmitted

for the action of the Presbyteries. Sufficient time has not elapsed to enable the General Assembly, as we think, satisfactorily to determine what, if any, amendments or changes are desired by the Church. While the General Assembly has the right, of its own motion or upon the suggestion of any individual, to consider and recommend, in the manner pointed out in the Constitution, any proposed amendment which it may deem desirable, yet it is not, we respectfully submit, expedient at this time to undertake such work.

A memorial from a Presbytery upon this subject, or any other within the legitimate sphere of Presbyterian authority, should receive, and we doubt not would always receive, respectful and careful consideration by the General Assembly. While we may not hope that a Confession of Faith can be framed which, in its minor details and modes of expression, will meet the views of every individual member of the Church, and while this has not been, and should not be attempted, it is desirable to have in it a fair declaration of the doctrines of the Church as held and believed by the Presbyteries as constituent bodies, representing the entire membership of the Church. We submit, too, that the General Assembly should be slow to assume any desire on the part of the Presbyteries to make any changes, in the absence of an expression from them to that effect, although it should and does give respectful consideration to the views of individual brethren.

For these reasons, and others which might be given, we respectfully report adversely upon all the propositions submitted to us, coming from individuals, to amend or change the Confession of Faith, believing it more desirable to await expressions from the Presbyteries, if any of them desire to make suggestions; and should any of the Presbyteries desire to offer amendments, we think it would be well for them to forward the same to the General Assembly at its next meeting.

We have considered the memorials from Presbyteries; and as to those from Allegheny, New Lebanon, Princeton, and Union, which in effect ask that the whole subject of

Revision be committed to a new committee, or that it be postponed, we respectfully submit that such a course is not expedient, and we recommend that the prayer of these memorialists be not granted.

We have considered the protest from members of Wichita Presbytery against the adoption of the Revised Confession of Faith and Government, and seeing that this is a matter which is not under the control of the General Assembly, but belongs to the Presbyteries, we ask to be discharged from its further consideration.

The memorial from the Ohio Presbytery proposes certain amendments to the Revised Confession of Faith. We have carefully considered these proposed amendments, and are constrained to recommend that they be not adopted. None of them are, in our opinion, to be desired.

We have to say, however, that while we cannot recommend the proposition contained in this memorial upon the subject of Sanctification, yet we feel free to say that the proposition upon this subject, submitted to the General Assembly at its last meeting by the Committee, is, in our opinion, preferable to that adopted at that time. With some unimportant verbal changes, that proposition is as follows:

“Those who believe to the saving of their souls are in believing also sanctified. This sanctification consists of a full surrender of self, and an unreserved consecration of the whole man to God and his service, and is of the ability which God gives.

In obedience to the Divine command, and resting upon the promise, it is the duty of Christians to cleanse themselves from all filthiness of the flesh and spirit, perfecting holiness in the fear of God.

Christians, because of worldly-mindedness, have frequent occasion for repentance, and for renewing their consecration.

Whether Sanctification, in addition to separation from worldliness and consecration to God, also includes the idea of progressive moral purity in the sense in which Regeneration purifies, is a question concerning which opinions

differ. Liberty of conscience is therefore allowed on this subject.”

S. G. Burney,  
John Frizzel,  
C. H. Bell,  
J. W. Poindexter,  
W. J. Darby.  
—1883, pp. 29, 30.

### **Last Action on Revision.**

Your Committee on Overtures have examined the memorial referred to us from the following Presbyteries, each of which suggests various changes in the Confession of Faith and Book of Discipline: Tehuacana, Colorada, Foster, Bonham, Indiana, Kirksville, and Talladega.

Your Committee feel that the changes proposed would not prevent considerable discussion after their report was presented to your body, and thereby lead to a further reference to them with instructions; and believing that it would be more satisfactory to the memorialists and to the general Church that the suggestions therein contained be fully and amply discussed in a Committee of the Whole, therefore we would request that the said memorials be referred back to your body for final action. Adopted.—1884, p. 15.

### **Committee of the Whole—Revision.**

On motion, the General Assembly went into Committee of the Whole to consider memorials from certain Presbyteries on the subject of Revision. After having finished its work, the Committee of the Whole rose, and the Chairman reported that, after considering the memorials which had been presented to the General Assembly on Revision, a memorial coming from McMinnville Presbytery had been adopted as expressing the sentiment of the Committee. He further reported that the Committee desired the General Assembly to adopt said memorial also, and to concur in its recommendation, which the Assembly then did, the memorial being as follows:



The following preambles and resolutions were adopted by the McMinnville Presbytery May 3, 1884, to wit:

Whereas, The General Assembly did, while in session at Austin, Texas, in May, 1881, appoint a committee of able and discreet men to revise the Confession of Faith and Form of Government of the Cumberland Presbyterian Church, so that said Confession might express clearly and accurately the doctrines taught from our pulpits and by our press, and that our Form of Government might conform in all its points to the usages of the Church; and,

Whereas, Said Committee, after carefully revising the Confession of Faith and Form of Government, submitted their work to the General Assembly, in session at Huntsville, Ala., in May, 1882; and,

Whereas, Said General Assembly, in Committee of the Whole, did consider the subject, item by item, and after recommending certain amendments, adopted the Revised Confession of Faith and Form of Government, transmitting the same to the Presbyteries for their approval or disapproval; and,

Whereas, The Revised Confession of Faith and Form of Government were approved with great unanimity by a large majority of the Presbyteries, thereby becoming the Faith and Government of the Church; therefore,

Resolved, That it is the sense of this Presbytery that it is unwise to agitate the subject of alteration or change in the Confession of Faith and Form of Government so soon after its almost unanimous approval by the whole Church, saying to the outside world that we are dissatisfied with our theological status.

Resolved, That this Presbytery, by these preambles and resolutions, do memorialize the General Assembly which meets at McKeesport, Pa., on the 15th inst., to advise all our judicatures and individual members to desist (at least for the present) from the agitation of, alteration, or change in the Faith and Government of the Church.—1884, pp. 17, 18.

(Logically, these Historical Statements should not end

without some account of the attempted merging of the Cumberland Presbyterian Church into the Presbyterian Church U. S. A., which began in Nashville, Tenn., at the Assembly which met there in 1903 and ended with that shameless declaration of "constitutional union" made in the Assembly which met in Decatur, Ill., in 1906, of which, and concerning which, the General Assembly makes the following deliverance.—A. C. B.)

#### **IV. The Assembly Makes a Deliverance on the Attempted Merger.**

The General Assembly of the Cumberland Presbyterian Church in session at Decatur, Ill., May 24, A. D., 1906:

This General Assembly was regularly constituted on May 17, A. D., 1906, and thereafter was fully organized on May 18, with Rev. Ira Landrith as Moderator thereof and Rev. J. M. Hubbert as Stated Clerk thereof.

And thereafter, on May 24, A. D., 1906, the union commissioners to said Assembly resolved by vote to adjourn this Assembly without day or place to meet again, and by said resolution and subsequent action declared their intention and determination not to meet again as a separate organization, but to enter the communion of another Church—the Presbyterian Church in the United States of America—and by said action the Moderator and Stated Clerk going with said unionists, vacated their said offices, and the loyal commissioners to said Assembly, consisting of the following named persons, then protested against the said action of said unionists as being illegal for the following reasons:

##### **A Protest.**

"We, the undersigned, being regularly elected commissioners to the General Assembly of the Cumberland Presbyterian Church, which convened in the city of Decatur, Ill., on the 17th day of May, A. D., 1906, now here make this our solemn protest against the action of said unionists in adopting the report of the Committee on Fraternity and Union and agreeing in said report to adjourn sine die. And we assign the following reasons for our protest:

"1. The Assembly is without power to declare the Cumberland Presbyterian Church as a separate organization at an end.

"2. That unionists have no power nor right to declare that the Confession of Faith of the Presbyterian Church in the United States of America, as revised in 1903, and its other Doctrinal and Ecclesiastical Standards have been adopted by the Cumberland Presbyterian Church in accordance with its Constitution. And in the opinion of these protests such statement is not correct.

"3. Said unionists had no power to transfer the allegiance of the ministers, elders, deacons, and officers of particular churches, judicatories, Boards and Committees to another denomination of Christians and make them amenable to another Church creed and constitution.

"4. Said unionists had no power to direct the Presbyteries of the Cumberland Presbyterian Church to send commissioners to the General Assembly of the Presbyterian Church in the United States of America."

Joe H. Fussell,  
 William Clark,  
 R. L. Harper,  
 J. B. Mitchell,  
 J. M. Ashford,  
 F. M. McKee,  
 W. A. Hartrup,  
 Allen Foust,  
 I. V. Stines,  
 A. Fulkerson,  
 H. T. Kelso,  
 J. L. Elliott,  
 W. E. Shaw,  
 B. D. Porter,  
 W. R. Slaughter,  
 B. T. Price,  
 D. J. Moore,  
 J. B. Wright,  
 E. B. McEwen,  
 D. M. McAnulty,  
 W. W. Erwin,  
 S. S. Boyer,  
 S. T. McCune,

F. A. Brown,  
 J. W. Smith,  
 J. B. Sloan,  
 J. G. Anderson,  
 W. J. Rogers,  
 G. A. Campbell,  
 J. W. Piper,  
 W. H. Randle,  
 A. A. Young,  
 Joseph Davis,  
 W. W. Selvidge,  
 C. M. Dysart,  
 V. B. Costello,  
 J. S. Harned,  
 G. B. McDonald,  
 J. L. Hudgins,  
 R. H. Schooler,  
 W. L. Stewart,  
 T. W. Keller,  
 S. H. Eshman,  
 J. J. McClellan,  
 G. M. Smith,  
 J. B. Cawhorn,

E. G. Stewart,	N. B. Butler,
R. L. Moore,	J. W. Scott,
J. W. Gorman,	J. L. Joyner,
J. E. Edwards,	J. W. Lee,
J. R. Suite,	E. Worth,
W. A. Boone,	J. N. Bright,
W. A. Patterson,	J. D. Lewis,
F. A. Seagle,	J. V. Steele,
L. B. Morgan,	T. H. Padgett,
T. J. Jarrett,	J. J. Magness,
J. P. McDonald,	N. S. Moore,
R. D. Shook,	R. L. Layman,
W. L. Myers,	W. C. Newberry,
W. S. Bridges,	G. W. Thompson,
J. N. Trantham,	Henry J. Bond,
J. E. Baggarly,	J. R. King,
R. L. Mason,	T. A. Havron,
J. S. Marshall,	J. M. Hart,
J. A. Poteet,	John B. Talley,
Hillery Copeland,	T. M. Hendrix,
W. W. Beall,	J. N. Trimble,
B. E. Bowmer,	S. W. James,
W. M. Robinson,	P. B. Keith,
J. W. Reed,	W. E. Dooley,
W. E. Dunaway,	Thomas Potter,
A. N. Eshman,	L. A. Lawrence,
L. F. Smith,	W. M. Wyatt,
M. M. Russell,	T. H. Porter.

And we, the loyal commissioners so protesting, considering the action of the unionists as unauthorized, determined not to recognize as of binding force said action and said adjournment. Now here on May 24, 1906, being a quorum of the Assembly, according to the constitution and laws of the Cumberland Presbyterian Church, we continue and perpetuate the General Assembly . . . and elect Rev. J. L. Hudgins Moderator in place of Rev. Ira Landrith, and elect Rev. T. H. Padgett Stated Clerk and Treasurer in place of Rev. J. M. Hubbert, their offices being vacated by their action above recited.

We do this in order that the Cumberland Presbyterian Church may maintain its separate Church organization, and that its distinctive doctrines for the propagation and maintenance of which we and our fathers have labored for nearly

a century shall be preserved to us and our posterity unimpaired. We are convinced that these doctrines would not be preserved by an organization which refuses to take them as their faith, but demands their renunciation as the price of entrance to their fold. Holding these views, we declare ourselves to be the General Assembly of the Cumberland Presbyterian Church, the repository of its established faith, the representatives of its loyal Presbyteries, the owners of its property, and the directors of its trusts.

When the unionists in the Assembly voted to adjourn sine die as a separate Assembly, we, the loyal commissioners, thereupon repaired to the hall of the Grand Army of the Republic in the same city, Decatur, Ill., where these proceedings and transactions were had. (1906, p. 8-11.)



## II. THE CHURCH.

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Confession of Faith, Sections 93-95.—The universal Church, which is invisible, consists of all those who have become children of God by faith, and joint-heirs with Christ, who is the head thereof.

94. The visible Church consists of those who hold to the fundamental doctrines of Christianity in respect to matters of faith and morals, and have entered into formal covenant with God and some organized body of Christians for the maintenance of religious worship. The children of such are included in the covenant relations of their parents, and are properly under the special care of the Church.

95. Unto this visible Church Christ has given the ministry, the Word, and the ordinances, for its edification, and, by his own presence in spirit, makes them effectual thereunto. The Lord Jesus Christ is the only head of his Church on earth.

Constitution, Sections 1, 2.—Jesus Christ, who is now exalted far above all principality and power, has established in this world a kingdom which is his Church.

2. The universal Church consists of all those persons, in every nation, who make profession of the holy religion of Christ and of submission to his laws.

### I. THE CUMBERLAND PRESBYTERIAN CHURCH.

Confession of Faith, Section 97.—While it is required of all Christians to live in fellowship, it is the especial duty of those belonging to the same denomination; and also to cooperate in sustaining public worship, and whatever measures are adjudged best for the spiritual interests of the Church and the glory of God.

The Cumberland Presbyterian Church does not set up any such claim as that of its being the only Church, but

holds, in common with other Reformed or Presbyterian bodies, that each evangelical denomination is a branch of the Church.

It took the word "Cumberland" into its name on this wise: The Synod of Kentucky of the Presbyterian Church, in 1802, struck off a new Presbytery from the Presbytery of Transylvania, which had included "the district of Kentucky and the settlements on Cumberland River, extending into what is now the State of Tennessee." This new Presbytery, which was "constituted out of the lower portion," including the "Cumberland Country," the Synod called "the Cumberland Presbytery" because of the "Cumberland Country" included within its bounds.

"When the Church was organized in 1810, it adopted no denominational name. There was no intention then of starting a new Church. It was an independent Presbytery of Presbyterians, which still hoped for restoration to its old status in the Mother Church."—From History of the Cumberland Presbyterian Church, McDonnold, p. 114.

The Presbytery, for some three years, referred to itself simply as "the Cumberland Presbytery."

"Whereas, enemies to the Cumberland Presbytery, have reported that our creed, or system of doctrines, is unknown; and whereas, friendly disposed persons have been apprehensive that some sentiments unknown might be concealed under the term 'fatality,' which term this Presbytery has chosen as a proper one to show their exception to the Confession of Faith; and whereas, we deem it our duty explicitly to declare our views on that subject,

"Resolved, therefore, unanimously, that the Cumberland Presbytery views, and hereby declares, the 'Reply to the Pastoral Letter of West Tennessee Presbytery' to contain a just exposition of our exception to the Confession of Faith upon the term fatality, and as fairly deduced from the Confession of Faith, so far as doctrines are treated of in that reply."—From Minutes of Cumberland Presbytery, November 5, 1812.

"By motion, Messrs. Finis Ewing and Robert Donnell were appointed a committee to draft a complete, though



succinct account of the rise, doctrines, etc., of the Cumberland Presbytery.”—From Minutes of Cumberland Presbytery, April 7, 1813.

Some, to distinguish those adhering to the independent Presbytery from other Presbyterians, at first called them “members of the Cumberland Presbytery,” as will appear from the following resolution adopted by a Methodist Conference, and reported to the Presbytery.

“Resolved, That those who call themselves members of the Cumberland Presbytery, are in such a state of accountability to each other, as will authorize us to admit individuals of that body, on examination, to the Lord’s Supper with us. An examination we deem necessary to know whether they are regular members, etc.”—From Minutes of Cumberland Presbytery, March 20, 1811.

Others called the adherents of the new Presbytery, now identified with the revival party, “Cumberland Presbyterians.” Dr. McDonnold says that the name which the people gave was neither repudiated nor formally adopted, but that it clung to the new organization. At the first meeting of the Synod, 1813, the members refer to those in the independent movement as “Cumberland Presbyterians,” which will be seen from the following:

“The Committee appointed by the last general Cumberland Presbytery, for that purpose, reported to the Synod a succinct account of the rise, doctrines, and progress of the Cumberland Presbyterians, etc.”—From Minutes of Cumberland Synod, October 6, 1813.

### **1. The Assembly Refused to Change the Name.**

The memorialists pray that the General Assembly would adopt measures in order to a change of name from Cumberland Presbyterian to American Presbyterian. In relation to this subject your Committee would suggest that names generally originate with others rather than the subjects of them. It is true that the Fathers in the organization of

the first Presbytery of this Church, styled it the Cumberland Presbytery; but this was rather a re-organization than an organization. The Presbytery had existed before, having been constituted and named by another judicature of the Presbyterian Church; therefore, although the Assembly might take the step desired by the memorialists, and the new name might be incorporated into our Confession of Faith and Form of Government, and into the records of our judicatories, we might still be denominated Cumberland Presbyterians by those who would take the liberty of denominating us what they pleased.

Again: names are mostly arbitrary and accidental. It is difficult to make them significant. They are for the purpose of distinction. The origin of our name was accidental; still, it may subserve the purpose of a name. It will distinguish us from other communions, and especially from other departments of the Presbyterian Church. Furthermore, whilst the senseless and the silly may taunt us with the locality of our name—and this has been done—may it not occur that the serious and intelligent, whose good opinion, and whose only, is worth the possession, may despise us for any sensitiveness which we may manifest under such reproaches? Our character will be determined by our intellectual and moral worth, and these will be the measure of our influence also. Let us seek the highest attainments in wisdom and holiness; let us aim at the fulfillment of our mission as an humble branch of the Church of Jesus Christ, and we may confidently expect all embarrassments and difficulties from secondary considerations to be removed, and our path, like the path of the just, to shine more and more unto the perfect day. We therefore recommend that the prayer of the memorialists be not granted.—1850,p. 37.

We have before us a memorial from Rushville Presbytery, giving four reasons why our denominational name should be changed, and asking the General Assembly to take steps to that end.

Your Committee is of the opinion that such change is

impracticable, not to say undesirable. Adopted.—1880, p. 20.

We have carefully considered the papers referred to us calling for a change of our Church name, substituting some other word in the place of Cumberland.

These papers are from the following Presbyteries, viz., Nashville, Athens, California, Indiana, and Wabash.

The first two call for the name American Presbyterian.

California Presbytery calls for the name Presbyterian Church of America.

Indiana Presbytery calls for the name Evangelical Presbyterian.

Various reasons are assigned for these changes. These your Committee have duly considered, but do not regard them of sufficient importance to justify a change of name, or even to have the question submitted to the Presbyteries.

We, therefore, are unanimous in the opinion that our Church name should remain as it is, and for the following reasons:

1. The name Cumberland is too precious to the hearts of our people to be given up.

2. It is evident already from the many names suggested that it would be very difficult, if not impossible, to unite on any other.

3. A change of name would make a double explanation necessary instead of one that is easy and significant.

4. It would necessarily involve a change in the names of our schools, charters, boards, papers, books, etc.

5. There are serious objections to each one of the names proposed.

6. The name Cumberland has already become sacred in the hearts of our people and a representative of our doctrines.

7. We would still be called Cumberland Presbyterians, hence much confusion and dissatisfaction would be the result.

8. We do not see that any important ends could be gained by a change.

We, therefore, recommend that the whole subject be

dropped without any further discussion. Adopted.—1881, p. 13.

We have before us memorials from the Arkansas Synod and the Yazoo Presbytery, asking your reverend body not to submit to the Presbyteries a proposition to change the name of the Church, and that the agitation of that subject cease. We recommend that the request of the petitioners be granted. Adopted.—1894, p. 18.

## 2. The Anniversary of the Church.

Whereas, The Fourth day of February is a period of the year of deep and important interest to all Cumberland Presbyterians, it being the day on which, as a denomination, they came into existence; and, whereas, the observance of anniversaries has, on the part of various communities and associated bodies, produced an increase of interest and an enlargement of feeling and consequent operations:

Resolved: That henceforth, the fourth day of February be regarded as the Anniversary of the Cumberland Presbyterian Church; that all our ministers and people be recommended to observe that time, from year to year, as a day of thanksgiving, a day of prayer and supplication to Almighty God, that he may continue his gracious and heavenly benedictions with us as a branch of his Church; that he may continue, by his sovereign calls, and gracious influence, to increase the number of ministers stationed on the walls of Zion, and that by divine unctions of the Holy Ghost accompanying the Gospel it may be effectual to accomplish the great purpose for which it has been sent into the world. Adopted.—1855, p. 35.

## 3. The Centennial of the Church.

Resolved, That this General Assembly appoint two Committees of arrangements for the next meeting of this body to be held at Dickson, Tenn., May 1910. Hereby is suspended all standing orders that may conflict with these Committees.

A Committee on arrangements of the place, entertain-

ment and all material belongings, said committee to consist of R. L. Baskette, W. L. Danley and J. H. Zarecor.

Also a Committee to arrange a program suited to the Centennial occasion of said meeting; this committee to consist of the Moderator, Stated Clerk, the Pastor Host, and T. Ashburn, J. H. Fussell and J. D. Lewis.

### Special Standing Committees for Centennial Year.

These Committees to secure special prepared papers on the following subjects:

History of Missions, History of Education, History of Publication, History of Ministerial Relief, and History of Sunday School and Young People's Work.

Preparation of a Memorial Service in honor of Ewing, King and McAdow.

Missions—A. C. Biddle, J. L. Price, M. M. Smith.

Education—P. F. Johnson, J. L. Hudgins, J. N. Parker.

Publication—R. L. Baskette, A. N. Eshman, W. E. Dunaway.

Ministerial Relief—J. M. Wyckoff, J. B. Hadlock, Wm. Reister.

Sunday School and Young People's Work—T. Ashburn, F. A. Seagle, O. A. Barbee.

Memorial Service in Honor of Ewing, King and McAdow—J. W. Duvall, Hardy Copeland, S. C. Lockett.—1909, p. 90.

On motion, the Moderator appointed a committee of three, the Stated Clerk to be a member, to gather the historical papers of this Assembly together with other papers of interest and publish them in book form. The following were appointed on this committee: Dr. J. L. Goodknight, Hon. J. J. McClellan and Rev. T. Ashburn.—(1910, p. 36.)

And in the volume which issued, entitled, Centennial Sermons and Papers, a book of two hundred and ninety pages, are the following numbers in order: Moderator's sermon, Rev. J. T. Barbee; Presbyterianism defined, J. L. Goodknight, D.D., LL.D.; a discourse on the Origin and

Doctrines of the Cumberland Presbyterian Church, Rev. A. C. Biddle; Tenting on the Old Camp Ground, Rev. J. S. Hall; Some Things the Bible Teaches about the Holy Spirit, Rev. J. W. Duvall; Paul's Estimate of the Lord Jesus Christ, H. Clay Yates, D. D.; Our Needs and Our Ability to Meet Them, Rev. J. D. Lewis; The Keys of the Kingdom, Mrs. Bessie Copeland Morris; The Immortal Trio (Ewing, King, and McAdow), Rev. J. W. Duvall; Historical Review of Publication in the Cumberland Presbyterian Church, R. L. Baskette; History of the Board of Ministerial Relief of the Cumberland Presbyterian Church, J. M. Wyckoff. History of Sunday Schools and Young People's Work of the Cumberland Presbyterian Church, Rev. Thompson Ashburn; History of the Woman's Board of Missions, Mrs. Walter Crawford; and Spiritual Progress, Rev. J. L. Hudgins and Rev. T. C. Newman.

## II. A PARTICULAR CHURCH.

In the Church courts the appellation "congregation" is generally used for that of "particular church." Sometimes, however, the word "church" is found without the word "particular."

Constitution, Section 4.—A particular church consists of a number of professing Christians voluntarily associated together for divine worship and godly living, agreeably to the Holy Scriptures, and submitting to a certain form of government.

Its officers are the minister in charge, the ruling elders and the deacons.

Its jurisdiction is lodged in the church session, composed of the minister in charge and ruling elders.

### 1. Organizing a New Church.

Constitution, Section 16.—In all cases, except when a Commission for that purpose shall have been appointed by the Presbytery, any ordained minister, belonging to the Presbytery in the bounds of which the new church is to be located, may preside at the organization of such church,

and perform all the duties incident thereto; but in such case the new church shall not be located within five miles of an existing Cumberland Presbyterian Church, without the consent of Presbytery.

Constitution, Section 7.—In the organization of a church the first step is to receive testimonials on behalf of such of the applicants as are members of the church, if there be any; and then to admit upon a profession of faith in Christ such candidates as, on examination, may be found qualified.

These persons should, in the next place, be required to enter into covenant by answering the following question affirmatively: Do you, in reliance on God for strength, solemnly promise and covenant that you will walk together as an organized church on the principles of the Government of the Cumberland Presbyterian Church; that you will support the Gospel as God has prospered you, and that you will study the purity and harmony of the whole body?

The presiding minister shall then say: I now pronounce and declare that you are constituted a church according to the Word of God and the principles of the Government of the Cumberland Presbyterian Church, subject to the approval of the Presbytery. In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Ruling elders and deacons are then to be elected, ordained, and installed.

## 2. When Organizations are Forbidden.

Within five miles of a Cumberland Presbyterian Church.—See Constitution, Section 16.

A minister, either within or without his Presbytery, has no right to attempt to organize a congregation of disaffected members, and thereby divide and disturb congregations already organized. Adopted.—1860, p. 74.

“Is it proper and orderly for a Presbytery to recognize, and receive under its care, an association of persons who have been collected by the efforts of a minister of the Gos-

pel, who is, and was at the time of gathering them together, under suspension?"

Your Committee answers in the negative. Adopted.—1859, p. 20.

**3. Becoming a Constituent of Presbytery.**

General Regulations, Section 3.—When a new church is organized it shall, through its church session, apply to the Presbytery in the bounds of which it is located to become a constituent thereof, in the following or like form:

To the Presbytery of .....

The undersigned respectfully represent, that on the .... day of ....., A. D., ....., there was organized by Rev..... (or by a Commission of Presbytery, as the case may be), at ....., a new church, adopting the principles of the Government of the Cumberland Presbyterian Church, with a membership of ...., and electing the undersigned as ruling elders, and .... and .... as deacons.

Under and by authority of said church, we do hereby apply to be received under your care, and we promise a cheerful compliance on its part, as well as our own, with all the duties and obligations enjoined upon particular churches and their officers by the Government of the Cumberland Presbyterian Church.

.....,  
.....,  
.....,

(Date) .....

Ruling Elders.

**4. When May a Church be Represented in Presbytery?**

Constitution, Section 29.—Every particular church which is willing to support the Gospel as God has prospered it shall be entitled to be represented by a ruling elder in Presbytery.

Your Committee on Minutes of the Synod of Pennsylvania report that we have examined the same, and find them well arranged, in good order, and in the main in accordance with your Constitution.



On page eighteen we find what we consider a departure from the teaching of your Book, page 89, viz:

That where two or more congregations are confederated together under the care of one minister, as pastor or supply, their right to representation, in their individual capacity, is conceded to the confederation, and while thus united are entitled to but one representative.

1. We think this action of the Synod tends to an unequal distribution of power among the churches, allowing the pastor of one church equal power with the pastor of two or more churches.

2. We do not believe an elder can represent a congregation in Synod, of whose Board of Elders he is not a member. Adopted.—1887, p. 21.

### 5. Congregational Boundaries.

The White River Presbytery asks: 1. Has a Presbytery the power and right to abolish congregational lines within its bounds, when in its wisdom it may consider such action conducive to the well-being of the Church?

Answer: The Constitution of the Church does not give the Presbytery the power to interfere with congregational lines.

2. Has a Presbytery the right to re-establish those lines when said action involves the rights and interests of congregations organized within the lines originally established for older organizations?

Answer: Our Form of Government does not recognize congregational lines or boundaries. The Presbytery can have no right either to establish or abolish such lines.

3. When a congregation petitions a Presbytery to be received under its care, with certain boundary lines, and the Presbytery receives it with this agreement, can the Presbytery abolish such lines without the consent of such congregation?

Answer: For the reasons above stated, your Committee agrees that you should answer in the negative. Adopted.—1879, p. 21.

### 6. Who Are Non-Resident Members?

We have considered the memorial from New Hope Presbytery in which this General Assembly is asked to define the terms "Resident" and "Non-resident" members. We recommend, that the General Assembly answer that the term "Resident member" has reference to members who live reasonably near the church to which they belong, while the term "Non-resident member" refers to members who reside so far distant from the church in which they hold membership as to prevent their being regular attendants.—1916, p. 111.

### 7. Presbytery Cannot Dissolve a Congregation Without its Consent.

Constitution, Section 31.—The Presbytery has power to unite or divide churches, with the consent of a majority of the members thereof.

A Presbytery has a right to dissolve a congregation, with the consent of its members, and attach them to other congregations. Adopted.—1869, p. 34.

The Tehuacana Presbytery asks you to decide whether a Presbytery has the right to dissolve a congregation without its consent, when deemed proper by the Presbytery to do so.

In response to this inquiry, your Committee answers, that the General Assembly of 1869 [Minutes, p. 34] answered this question in the negative, and recommends that you reaffirm that action. Adopted."—1879, p. 21.

### 8. When May a Presbytery Cut off a Congregation?

Constitution, Section 31.—The Presbytery has the power, for cause, to dissolve the relations between it and a particular church, which shall thereafter cease to be a constituent of the Cumberland Presbyterian Church, and forfeits all rights as such.

The Presbytery has the right to cut off any congregation under its control, and deprive it of presbyterial representa-

tion, whenever such congregation has been guilty of such offense as, in the judgment of the Presbytery, may justify such action. Adopted.—1869, p. 34.

### **9. Presbyteries Should Order Whatever Pertains to the Welfare of their Churches.**

Constitution, Section 31.—The Presbytery has power in general to order whatever pertains to the spiritual welfare of the churches under its care.

Upon the Presbyteries was urged the importance of ordering whatever pertains to the welfare of their churches.—1882, p. 17.

### **10. Relation of Board of Missions to a Mission Church.**

The Committee on Judiciary have considered a paper from Kansas Presbytery asking the General Assembly to define the relation and power of the General Assembly's Board of Missions to a congregation under the care of Presbytery.

Under Section 13, "General Regulations," the General Assembly has the power, and it is perhaps its duty, to answer such questions when properly brought before it by an inferior court of the Church.

We therefore recommend that the General Assembly answer as follows:

Mission churches not under the care of any particular Presbytery are, in all respects, managed and controlled by the Board of Missions. When a mission church is placed under the control of a Presbytery and becomes a constituent thereof, then as to all questions of discipline the Presbytery has control, but as to the supplying of the pulpit the Board of Missions should control as long as it remains a mission church, receiving financial assistance from the Board. In all cases, however, care should be taken that no friction arises between the Board and the Presbytery. Adopted.—1893, p. 28.

### 11. General Assembly Determined the Legitimate Congregation.

The undersigned, members of Ohio Synod, have positive information that, owing to dissensions in the Waterford congregation of the Cumberland Presbyterian Church, at Beverly, Ohio, in the bounds of Muskingum Presbytery, and owing to the failure of said Presbytery to meet on its adjournment, and to the improbability of its being able to call a quorum, important church interests in said congregation to withhold the church property from the use and control of Cumberland Presbyterians, and to transfer it to the Presbyterian Church.

Therefore, we respectfully memorialize your Reverend Body to recognize that portion of said Waterford congregation represented by David Thompson, Allen Nickerson, and Thomas Clark, ruling elders, and H. S. Clark, J. T. Palmer and Samuel Leget, trustees, as the identical Cumberland Presbyterian church, of Waterford, and that as such they are entitled to hold the church property, at Beverly, belonging to the Cumberland Presbyterian Church.

Signed:

Thomas Thomas,  
Ovid Lutz,  
H. D. Onyett.

Your Committee recommend that said memorial be granted, and that the organization represented by David Thompson, Allen Nickerson and Thomas Clark, ruling elders, and H. S. Clark, J. T. Palmer and Samuel Leget, trustees, mentioned in said memorial, be and is hereby recognized by this General Assembly as the true and legitimate Waterford congregation of the Cumberland Presbyterian Church, at Beverly, Ohio, and entitled to hold all the church property hitherto owned and held in law by said Waterford congregation, at Beverly, Ohio. Adopted.—1872, p. 28.

### 12. Form of Deed.

The following is recommended as a form of deed for the conveyance of real estate to a Cumberland Presbyterian

church. Before the deed is finally drawn, it should be submitted to some local attorney to see that it conforms to the mode of conveyance prescribed in the particular State in which the property lies:

WE \_\_\_\_\_  
 in consideration of \_\_\_\_\_ (\$\_\_\_\_\_)  
 Dollars to us in hand, by \_\_\_\_\_  
 the receipt whereof is hereby acknowledged, have this day bargained  
 and sold and do hereby sell, transfer and convey unto \_\_\_\_\_  
 \_\_\_\_\_ trustees, of and for \_\_\_\_\_  
 \_\_\_\_\_ congregation of the Cumberland Presbyterian church,  
 their successors and assigns, the hereinafter named tract, piece or  
 parcel of land situated in \_\_\_\_\_  
 Civil District of \_\_\_\_\_ County \_\_\_\_\_  
 and particularly described as follows:  
 Beginning at \_\_\_\_\_

\_\_\_\_\_

To be held, preserved and used by themselves, their successors and  
 assigns for a church site (or church and parsonage; one or both) to  
 be used for carrying on the worship of Almighty God, according to  
 the tenets, faith and order of said Church, and for the promulgation  
 of the doctrines thereof, as formulated and published in the Confes-  
 sion of Faith of said Church, adopted in the year 1883, and to be  
 used forever for said purpose, or if converted, proceeds thereof rein-  
 vested in similar property for the use of such church. We further  
 covenant and agree that said property is free from encumbrance,  
 and that we have a good and lawful right to sell and convey the  
 same and will warrant and forever defend the title of said property  
 to said trustees and church, against the lawful claims of all per-  
 sons whomsoever.

IN WITNESS WHEREOF, we hereunto set our hands and sig-  
 natures, this \_\_\_\_\_ 19\_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_

WITNESS:

\_\_\_\_\_

\_\_\_\_\_

Note: A deed must, after signature, be acknowledged according to  
 the form prescribed by the laws of the State in which the property  
 lies. The acknowledgment should be made before such officer as is  
 authorized by such State statutes for taking acknowledgments, in the  
 County and State where the persons reside, who make the deed. The  
 deed should then be forwarded to the County and State where the

land lies, to be at once recorded in the register's office of said County.

The deed can be witnessed by two disinterested persons, if the deed is made alone by men, and the execution of the deed can then be proven, before the proper authority, by the witnesses. If the deed is made by a man and a married woman, the execution of such deed cannot be proven by subscribing witnesses. The married woman must acknowledge the execution of the deed in person, as prescribed by the statute of the State where the land lies, which is conveyed; and, if possible, the man's signature should be acknowledged at the same time and place. If the man be too decrepit to appear and acknowledge the deed, his signature may be proved by witness.—Adopted 1912, pp. 118, 119.

### 13. Title to Church Property.

“When a congregation has been legally organized, and by its legally constituted board of trustees purchases and obtains real estate in fee simple, upon which to erect a church house, and afterwards said congregation, together with its board of trustees, by death or removal, ceases to exist, does such real estate then become the property of the Cumberland Presbyterian Church at large? If so, where does the power to sell and convey such property exist?”

This is a purely legal question, which must be decided by the courts of each State in which the property may be situated, and although a probably correct answer might be premised upon the principles of the common law, yet it would be wiser and safer in all questions, concerning the title to church property, to apply to the temporal rather than the spiritual courts.

The Assembly said, further [Minutes, page 24], that “the title to the property depends upon the specific terms of the instrument creating it, and the statutory regulations of the State of the Union where the property may be situated, and the same general answer applies to the vesting and transfer of title in all cases.” Adopted.—1868, p. 23.

A question is raised by the records before us in regard to the legal owners of the church house and grounds. It appears that the title is vested in trustees, and it is supposed that they claim the right to control the use and occupation of the church house.

Your Committee deem it due to the church whose interest is involved in this question, to express an opinion on this subject, in order that the General Assembly may make a deliverance which may be calculated to quiet apprehensions on the part of weak churches when threatened in this way.

We give it as our opinion, that trustees holding the title to church property cannot turn it over, or appropriate it to any other use than that for which it was vested in them, and that they cannot exclude the church from its use and occupation for religious worship.

Your Committee are not acquainted with the laws of Kentucky on this subject, but their opinion is based on general principles. It is greatly to be regretted, and is a source of sorrow, no doubt, to the Christian, and especially to our branch of the Church, that such serious difficulties as these records show, should spring up among professed Christians, upon so slight a cause.

Your Committee recommend patience, and forbearance, and faithful service, and devotion to principle, and reliance on the Spirit of Almighty God, to bring the Madisonville Church out of difficulties which seem to environ it at this time. Adopted.—1876, p. 30.

The Committee on Judiciary have considered the paper referred to them from Rev. N. J. Crawford, in relation to the title to church property in the Indian Territory, and recommend the adoption of the following resolution:

Resolved, That the General Assembly's Board of Trustees be, and they are hereby, requested to look after the property in the Indian Territory belonging to the Cumberland Presbyterian Church, or in which it has an interest, and to take such action as may seem best to preserve the same to the Church and for its use. Adopted.—1893, p. 28.

#### 14. Assembly Directs a Sale.

It being made to appear to your committee that on March 21, 1895, Samuel P. Blair and his wife, M. L. Blair, conveyed to the General Assembly of the Cumberland Presbyterian

Church "the upper, or north half, of a certain lot or parcel of land, lying and being in the town of Mouse Creek" (Now Niota) "in the 4th Civil District of McMinn County, Tennessee, bounded as follows: On the north by an alley; on the east by the lands of H. L. Shultz; on the south by the lands of Frank Sherman, and on the west by the lands of the Southern Railway Company, together with the church erected thereon;" and it further appearing that the property, by lack of use and care, is badly out of repair and deteriorated in value; and it being further represented to us that the congregation which formerly worshipped in this property has all scattered and moved away; and it further appearing that there is a congregation of Methodist Episcopal Church in said village or town, who desire to purchase said property, and have offered therefor the sum of Six Hundred and Fifty (\$650.00) Dollars, which sum we are advised by the Knoxville Presbytery of the Cumberland Presbyterian Church should be accepted and deed made;

Therefore, your Committee is of opinion that this matter be referred to Dr. T. W. Stone, E. W. Beck, H. H. Denhardt, C. W. Stone, J. W. Goodrum, Dr. J. F. Hendricks, W. J. Denhardt, Judge Charles Drake, M. R. Graham, L. J. Miller, Thomas F. Lewis, Joe D. Smith, Trustees of the General Assembly of the Cumberland Presbyterian Church and we recommend that said Trustees will take such action that will consummate such agreement above referred to and execute a warranty deed conveying said property according to agreement above mentioned. That said deed be properly acknowledged and spread on the records in the register's office of McMinn County, Tennessee, and that the purchase money thereof be turned over to the Treasurer of Knoxville Presbytery, taking his receipt for same and that said Board of Trustees will report their action in the premises to the next General Assembly.

And in the matter regarding the warranty deed given by H. W. Fick and wife, Harrison, Ark., to the Board of Trustees of the General Assembly, we your Committee recommend that this matter be referred to the Trustees of the General Assembly of the Cumberland Presbyterian Church,



and we recommend that they take such action in the premises as they may deem proper to carry out if possible the purposes of those directly interested. Adopted.—1912, pp. 121, 122. (1900, p. 90.)

### 15. Rightful Ownership.

Resolved, that it is the sense of this Assembly that the rightful ownership of and title to Church property belonging to a disorganized congregation, or of abandoned church property is and should be in the Presbytery in whose bounds it is located, provided there are no provisions in the deed of conveyance directing what shall become of the property when it ceases to be used for church purposes.—1909, p. 80.

### 16. Bequests and Gifts.

All bequests and gifts of either property or lands should be made to the Trustees of the General Assembly of the Cumberland Presbyterian Church, if intended for the entire Church, or if intended for some one of the various Boards, then to the Trustees of that Board.—1912, p. 120.

## III. CHURCH MEMBERS.

Constitution, Section 4.—A particular church consists of a number of professing Christians voluntarily associated together for Divine worship and godly living, agreeably to the Holy Scriptures, and submitting to a certain form of government.

Constitution, Section 3.—The infant children of believers are, through the covenant and by right of birth, entitled to baptism, to pastoral oversight, to instruction, and to the care of the church, with a view to their embracing Christ, and thus possessing personally all the benefits of the covenant.

All baptized persons should receive the watchful care and instruction of the church, even though they are adults, and have made no profession of faith in Christ. Those only who

have made a profession of faith in Christ are entitled to all the rights and privileges of the church.

### 1. Admission of Persons into the Church.

Constitution, Section 27.—It is the duty of the session to receive members into the church.

Directory for Worship, Section 21.—In publicly receiving new members into the church on profession of their faith in Christ, the following is recommended as a

#### Form of Church Covenant

Let the candidates for membership rise, and the minister propound to them, severally, the following questions, to be answered in the affirmative:

I. Do you receive the Scriptures of the Old and the New Testament as the Word of God, the only infallible rule of faith and practice?

II. Have you experienced that you were a condemned and helpless sinner, and, so far as you know your own heart, have you believed in Christ as an all-sufficient Saviour, realizing that God, for Christ's sake, has pardoned your sins?

III. Will you earnestly strive to avoid the follies and vices of the world, to increase in knowledge, to grow in grace, and to live henceforth for Christ?

IV. Do you promise to abide by and support the rules and regulations of the Cumberland Presbyterian Church so long as you may be a member thereof; to be faithful in your attendance at the public religious services in the congregation, including the prayer meetings, as God may give you health and strength, endeavoring to keep the unity of the Spirit in the bond of peace; to love your brethren in the Lord; to act toward them with kindness and justice; to judge with candor, and admonish with charity?

V. As you consecrate yourself to God, you also consecrate your substance; and being his steward, do you promise to contribute of that substance, as he may prosper you, to the support of the Gospel?

After answering these questions in the affirmative, the

applicants for membership should be baptized, unless they have previously received that sacrament; and the minister should deliver a charge, suitable to the occasion, to the newly-received members and to the congregation.

This form of Church-covenant is not to supersede the examination of applicants by the church session.

### Receiving Members from Other Churches.

Rules of Discipline, Section 96.—When a member shall remove from one church to another, he shall produce satisfactory testimonials of his church-membership and dismissal before he can be admitted, unless the church session has other satisfactory means of information.

Directory for Worship, Section 22.—In publicly receiving members into the church by letter, the following form is recommended:

Let the minister make proper announcement of the name and former church relation of the persons to be received, and then ask them to stand at their respective places in the audience, or at the altar of the church, as he may prefer. He may then say:

Having already confessed Christ, you to-day renew your covenant with God, and transfer your membership to this church. May God give you grace to honor him and to promote the spread of the Gospel, the peace of the Church, and the salvation of souls.

Let the minister here call upon all the members to rise, and he may then say to the newly admitted members, whether by letter or on profession of faith:

We, the officers and members of this church, do now affectionately welcome you to membership and fellowship in this Christian household; and we devoutly pray that God may make you happy and useful in the new relation which you have assumed.

And now may the God of peace, that brought again from the dead our Lord Jesus Christ, that great Shepherd of the sheep, through the blood of the everlasting covenant, make you perfect in every good work to do his will, working in you that which is well pleasing in his sight, through Jesus Christ, to whom be glory forever and ever. Amen.

## 2. Jurisdiction over Church Members.

Constitution, Section 7.—Original jurisdiction in relation to church members pertains to the church session.

Rules of Discipline, Section 96.—Members when dismissed shall be under the jurisdiction of the church session dismissing them, until they shall be admitted into some other church.

## 3. Letters of Dismission.

Constitution, Section 27.—It is the duty of the session to grant letters of dismission, which, when given to parents, shall always include the names of their baptized children.

Rules of Discipline, Section 100.—No certificate of dismission, from either a church session or a Presbytery, shall be valid testimony of good standing for a longer period than one year; and such certificate, given to persons who have already removed, shall state the standing of the person only to the time of removal.

Resolved, That as a means to avoid the frequent loss of membership to our Church by removal, we recommend that our ministers, upon the removal of any member from within their charge, shall immediately notify the pastor of the church at the point to which the member or members may remove, giving such information concerning the removing member as may be of interest. Adopted.—1890, p. 29.

An evil which has grown up in many places in our Church is the failure of members moving out of one community into another to remove their membership. Therefore, we recommend that you ask your Presbyteries to instruct their ministers and sessions to give letters to their members removing into the bounds of another church, and that they notify the pastor or session into whose community such members remove of this fact. Adopted.—1897, p. 45.

## 4. Causes Without Process.

Rules of Discipline, Sections 63, 64.—When a member shall make his offense known to the church session, a statement of the facts shall be recorded, and judgment rendered without process.

64. When a member shall profess before the church session an unregenerate heart, or may, for any reason, desire to cease to be a member of the church, and no charges are pending against him, the court may retire his name from the roll, record the facts, and, at its option, announce them publicly. However, this action shall not be taken until the church session has ascertained, after due inquiry, that the conduct of the member is not the result of temptation or transient darkness of spirit.

“When a church member, against whom there is no charge of immoral or irreligious conduct, and whose moral character is such that there is no ground for any such charge, requests the church session to erase his name from their church book, have they a right to grant his request?”

In the opinion of your Committee, they have. Adopted. —1859, p. 20.

#### 5. Names Retired upon a Separate Roll.

Rules of Discipline, Section 97.—If a church member shall remove beyond the bounds of the church to which he belongs, and for one year shall neglect to call for a letter of dismission, his name may be retired upon a separate roll, of which due record shall be made.

#### 6. Dropping Names from the Roll.

Your Committee on Judiciary respectfully submit the following report:

They have had before them a memorial requesting you to “make a deliverance as to whether a congregation may drop from its roll absent or inefficient members,” and also as to how a congregation without a church session should proceed to accomplish the same object.

Your Committee recommend that you reply:

1st. That, without grounds other than absence or inefficiency, a congregation has no right to drop a member from its roll; but in case of absence for a year or more without calling for a letter, his name may be retired upon a separate roll, as decided by a former General Assembly.

2. That without the interposition of a church session a person's membership in the church cannot be disturbed. Adopted.—1882, p. 27.

### **7. Cannot Withdraw from Presbytery by Own Vote.**

It seems from a petition from John L. Odum, Stated Clerk of Greenville Presbytery, that Mt. Zion, a congregation of that Presbytery, of its own motion, transferred its membership to Dallas-Bonham Presbytery; and that a memorial from Greenville Presbytery was sent to Texas Synod asking that Synod make a ruling on the action of said congregation, which the Synod failed to do. The Clerk in his petition requests the Assembly to construe the action of Mt. Zion congregation.

It is our opinion that a congregation cannot withdraw from one Presbytery and join another, and only by action of Synod can a congregation be so transferred. The action of Mt. Zion congregation is illegal. See Section 37, page 98, of Constitution.—1913, p. 196.

### **8. Members Should Give of Their Means to Support the Church.**

Resolved, That each Session and Presbytery be, and is hereby, recommended and required by reasonable and proportionate assessment, or otherwise, as they may deem best suited to their circumstances, to bring every member of each congregation to bear a part in meeting the current expenses of the congregation, and to aid the general enterprises of the Church. Adopted.—1858, p. 79.

### **9. The General Assembly's Card for Systematic Beneficence.**

Submitted to every member of the Cumberland Presbyterian Church as a guide in the duty of giving:

1. Toward the pastor's salary (incidental expenses of the church included, if the session directs) I agree to give the sum of \$. . . . . per week, per month, per quarter, per year (mark out what is not needed).

2. For the general enterprises of the Church I will pay, during the periods indicated, the several sums named:

January and February—Church Election.....	\$.....
March and April—Home Missions.....	\$.....
May and June—Education.....	\$.....
July and August—Synodical Missions.....	\$.....
September and October—Foreign Missions.....	\$.....
November and December—Ministerial Relief....	\$.....
Date....., 189...	Signed.....

Place your offering in an envelope, indicating name, amount, and object for which it is given. Deposit in collection basket or hand to a deacon or the treasurer. If the Lord has prospered you, of course you will increase the amount subscribed, in proportion, as the various quarters come round. If you are delinquent at the end of the period, a collector will call on you.

On the reverse side of the card shall be printed a statement of the action of this body, and such other matter as the representatives of the Boards may deem suitable. The cost of printing and distributing these cards shall be provided for by the Boards, in such proportion as may be agreed upon by them. The cards shall be supplied, to congregations calling for them, free of charge.—1895, p. 48.

#### 10. Change of Calendar for Beneficences.

On motion, the following order was adopted as the calendar for the year as a suggestive time of making the offerings to the various Boards of the Assembly. Same was adopted in lieu of the present one and is as follows:

Ministerial Relief—December and January.

Sunday School and Young People's Work— February and March.

Legal Fund—April.

Publication—May.

Missions—June.

Synodical Offerings—July and August.

Education—August, September, and October.

Missions—November. Adopted.—1911, p. 116.

Reaffirmed 1918, p. 9.

### **The Assembly's Budget Plan.**

The representatives of the various Boards met in Clarksville, Tenn., on December 12, 1918. The aim of this meeting was to concert better plans to finance the great and pressing needs of the Boards. This initial meeting was both a success and an inspiration. It resulted in that "informal conference" for the same purpose at Fayetteville, Ark., and later in the appointment of the committee which drew up the plan. The plan, which follows, and which was adopted, is almost identical with the one presented to the Clarksville meeting by Rev. J. L. Hudgins. The special committee, raised for the purpose of presenting this whole question succinctly before the Assembly, makes the following report:

We therefore recommend:

1. That the sum of \$90,000 be fixed as the minimum amount that should be raised by the congregations of the Church for the support of the work of the Assembly Boards, for the current Assembly year, 1919-1920.

2. That to raise this amount, the congregations of the entire Church be required to raise an amount equal to a dollar and one-half per resident member and that this be apportioned to each as the amount to be raised for the year, for the use of the boards and agencies hereinafter mentioned.

3. That you adopt the following as the basis of apportionment of the \$90,000: Missions, 30 per cent; Education, 20 per cent; Ministerial Relief, 20 per cent; Theological Seminary, 5 per cent; Sunday School and Young People's Work, 5 per cent; Board of Tithing, 5 per cent; Board of Publication, 5 per cent; and for paying the expenses of making the campaign of the congregations to raise the apportionment and the expense of the endowment campaign, 5 per cent each, or such a part of that per cent as may be needed in carrying on the campaign.



4. That the Assembly appoint an Executive Committee to consist of one member from each of the several Boards to superintend the campaign contemplated in this recommendation, as follows: Board of Missions, J. E. Eberts; Theological Seminary, Rev. Hugh S. McCord; Ministerial Relief, Rev. J. T. Coleman; Publication, Hon. H. J. Graf; Tithing, Frank McDonald; Education, Rev. J. W. Dishman; Endowment, T. C. Callicott.

5. We further recommend that Hon. Frank McDonald, of Chattanooga, Tenn., be the Secretary and Treasurer and General Director of this committee, and that all collections be sent direct to him, and that he send to each of the Boards their proportion of such collections, at least once each month, as received.

7. We further recommend that the period for the raising of this budget extend to April 1, 1920.

Signed by the Committee,

C. M. Zwingle,

C. M. Smith,

T. G. Reid,

L. T. Evans,

J. M. Russell.

Adopted, 1919.



### III. CHURCH OFFICERS.

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Although no detailed form of church government is laid down in the New Testament, yet the general or fundamental principles of the same are clearly taught therein.

Under the Mosaic dispensation, church government was comprised in the civil government.

During the captivity, the synagogue system of worship was established, which, after the captivity, was introduced into Judea, and was in general use at the coming of Christ. In the synagogues, Christ and his apostles generally taught. (Matt. xii. 9; Luke iv. 16; John vi. 59; xviii. 20; Acts xiii. 5; xviii. 4.) The synagogue was under the control of a minister, ruler (Luke viii. 41; xiii. 14), and a bench of elders. Neither Christ nor his apostles introduced any radical change into this mode of religious worship and government, but adopted it as they found it. The polity of the synagogue and of the Jewish ecclesiasticism generally was simply and purely Presbyterian in form—a government by presbyters. This fact is to the English reader somewhat obscured by translating the Greek *presbuteros* by the English word *elder*.

The church official was called *presbuteros* (presbyter), and an assembly of these was called *presbuterion* (Presbytery). (Luke xxii. 66; Acts xxii. 5; 1 Tim. iv. 14.)

All apostles were elders, but all elders were not apostles. (1 Pet. v. 1.) The apostles had no successors, as such. The chief characteristics of the apostolic office were two—to have seen Christ, and to have been personally called to it. (Acts i. 21-26.) Paul's case was peculiar, but it was not an exception to this rule. (Acts ix. 1-12; xxii. 1-15.) The apostolic office, in its technical sense, therefore, of necessity expired with the death of those personally called by Christ. Others were called apostles, as Barnabas, but not in the sense of those appointed by Christ. The terms *elder* and *bishop*, in the New Testament, denote the same office, the

former being current among the Jewish and the latter among the Gentile Churches. (Compare 1 Pet. v. 1 and Phil. i. 1.)

The New Testament recognizes two kinds of elders—those that labor in doctrine and those that rule. (1 Tim. v. 17.) The former are invested with ministerial and also with governmental functions, and the latter with governmental only. This fact puts both a clerical and a lay element into all Church courts.

Aside from the apostolic office, which was temporary, the presbyterial was the highest known to the Apostolic Church. Paul, as a presbyter, took part with other presbyters in the ordination of Timothy. (1 Tim. iv. 14; 2 Tim. i. 6.)

While the elder, or presbyter, is the highest, it is also the lowest designation of a church functionary recognized by the New Testament. The grades in the ministry, of deacon, elder, bishop, arch-bishop, etc., are post-apostolic, and without Scriptural authority. The deacon is not a clerical, but a laical functionary. (Acts vi. 1-6.)—From Introductory Statement on Church Government, Confession of Faith, pp. 78, 79.

Confession of Faith, Sections 108, 109.—The Lord Jesus, as King and Head of his Church, has therein appointed a government intrusted to church officers, distinct from the civil government.

109. By Divine appointment the officers of the visible Church have the power to admit members into its communion, to admonish, suspend, or expel the disorderly and to restore those who, in the judgment of charity, have repented of their sins.

Constitution, Section 8.—The ordinary and perpetual officers of the Church are teaching elders or ministers of the Word, who are commissioned to preach the gospel and administer the sacraments; ruling elders, the representatives of the people; and deacons.

## I. MINISTERS.

Constitution, Sections 9-11.—The office of the ministry is the first in the Church, both for dignity and usefulness.

The person who fills it has in the Scriptures different titles, expressive of his various duties. As he has the oversight of the flock of Christ, he is termed bishop; as he feeds them with spiritual food, he is termed pastor; as he serves Christ in his Church, he is termed minister; as it is his duty to be grave and prudent, and an example to the flock, and to govern well in the house and kingdom of Christ, he is termed presbyter or elder; as he is the messenger of God, he is termed angel of the Church; as he is sent to declare the will of God to sinners, and to beseech them to be reconciled to God through Christ, he is termed ambassador; as he bears the glad tidings of salvation from place to place, without having his labors confined to any particular church or locality, he is termed evangelist; as he stands to proclaim the gospel, he is termed preacher; as he expounds the Word, and by sound doctrine both exhorts and convinces, he is termed teacher; and as he dispenses the manifold grace of God, and the ordinances instituted by Christ, he is termed steward of the mysteries of God. These titles do not indicate different grades of office, but all describe one and the same officer.

10. He that fills this office should possess a competency of human learning, and be blameless in life, sound in the faith, and apt to teach; he should exhibit a sobriety and holiness of conversation becoming the gospel; he should rule his own house well, and should have a good report of those who are without.

11. As the Lord has given different gifts to the ministers of the Word, and has committed to them various works to execute, the Church is authorized to call and appoint them to labor as pastors, teachers, and evangelists, and in such other work as may be needful to the Church, according to the gifts in which they excel.

### 1. Minister versus Bishop.

Ordered, That the word "bishop," as it occurs in the Minutes, be erased, and the word "minister" be inserted.—1850, p. 10.

## 2. One Must Adopt the Confession of Faith to Become a Minister.

“Can any one become a minister and member of a Presbytery of the Cumberland Presbyterian Church without adopting the Confession of Faith and Form of Government of the Church?”

“Answer: He cannot. Adopted.”—1873, p. 30.

## 3. One Minister May not Intrude in the Field of Another without His Consent.

“Has a Presbytery the constitutional right to send an itinerant minister into a congregation to preach, etc., which has a stated pastor?” “Not without the consent of the pastor and his congregation, nor has such a minister any right to intrude at his own election (meaning, of his own choice). Adopted.”—1853, p. 51.

## 4. Ministers Directed by Their Presbyteries.

Constitution, Section 31.—The Presbytery has power to require ministers to devote themselves diligently to their sacred calling.

The General Assembly urged “upon the various Presbyteries the importance and propriety of directing their preachers.”—1882, p. 17.

## 5. A Minister Whose Membership Is in One Presbytery and Who Lives in Another.

Rules of Discipline, Section 99.—Except by consent of the Synod, ministers shall not be permitted to hold membership in a Presbytery other than that in whose bounds they reside.

“How long may a minister retain membership in one Presbytery and live and labor in the bounds of another?”

The General Assembly of the Church, some years ago, passed a resolution to the effect that if a minister moved into the bounds of a Presbytery and remained there twelve months without applying to that Presbytery for membership, the Presbytery should call on him for satisfactory reasons why he had not done so within that time, and, if he

failed to render such reasons, that the Presbytery should proceed to inquire into the case according to the Book of Discipline, chapter 2, Form of Process against a Bishop or Member. Your Committee is of the opinion that some exceptions might be made, in regard to residence in extraordinary circumstances, by the consent of the Presbyteries concerned.—1866, pp. 50, 51. [Note.—According to the Revised Book, Rules of Discipline, Section 99 (see above), the Synod, and not the Presbyteries, must determine this question.—J. V. S.]

### 6. Jurisdiction Over a Dismissed Minister.

Rules of Discipline, Section 98.—When a Presbytery shall dismiss a minister, licentiate, or candidate, he shall remain under the jurisdiction of the Presbytery thus dismissing him, until he shall be received by another.

Is a minister, while holding a letter, under the jurisdiction of the Presbytery which gave such letter?

Your Committee are of opinion that a minister, in such a case, is amenable to the Presbytery granting the letter.

Is the holder of such a letter to be considered a member of the Presbytery which granted the letter?

Your Committee are of opinion that when such minister is dismissed from Presbytery he has no further right as a Presbyter in its council. Adopted.—1859, p. 40.

### 7. A Minister In Transitu Cannot Sit as a Member of Synod.

Is the holder of such a letter a member of the Synod composed in part of the Presbytery granting the letter?

Your Committee are of the opinion that, when a member withdraws from Presbytery, his name is discontinued on the records of Presbytery; as the roll of Synod is made up from the records of the Presbytery, the Synod could not, therefore, recognize said minister as a member. Adopted. 1859, p. 41; 1866, p. 51; 1873, pp. 13,14; 1871, p. 29.

### 8. Status of Licentiate Declared.

Until ordination, a licentiate is a probationer. His authority is transient and temporary. He has only been

licensed to preach the gospel, and that license is liable to revocation by the arbitrary act of the Presbytery, and therefore he is not a minister of the gospel in the sense of that word as used ordinarily in the statute law of marriage. In this report all of the Committee concur. Adopted.—1899, p. 51.

### **9. Status of a Minister Who Has Entered Another Communion.**

We have considered the following question by Foster Presbytery as follows: Does Section 66, Rules of Discipline, apply to an ordained minister who has renounced the communion of the Church without a letter from the Presbytery.

We recommend that you answer as follows: The section applies to all “members or officers” of the Church, and section 8 of the Constitution names “ministers of the word” in enumerating the officers of the Church. Section 66, therefore, does apply to ministers.

When he renounces the communion in the manner described, and his renunciation is assented to by his Presbytery, by recording the fact and erasing his name, he ceases to be a minister or member of the Church. Adopted—1901, p. 56.

### **10. On Petitioning to Return.**

There have been referred to us the question propounded by Lebanon Presbytery concerning the legal status of a minister who has joined another Church without asking for a letter, and afterward asks to be admitted back into the Cumberland Presbyterian ministry.

Your committee thinks that any member of the ministry of the Cumberland Presbyterian Church who joins another Church, without taking a letter, thereby forfeits all his offices, rights, and privileges in our Church; and on his return he should be received in the same manner as though he had never been in the Cumberland Presbyterian ministry. Adopted.—1904, p. 53.



### **11. Who Is Competent to Act in Committee.**

By request of the Committee on Publication, you have referred to our committee the question of competency of members of said committee to act on memorials from the Presbyteries they represent.

It is our opinion that it would not be proper for a member of a committee to act on a memorial coming from the Presbytery he represents, but he would be competent and eligible to act on all matters, except those personal to himself or his Presbytery. Adopted.—1913, p. 196.

### **12. A Minister May not Fill Functions of His Office and Retain His Membership in the Local Church.**

In the matter of the memorial from Foster Presbytery your Committee recommend that the General Assembly affirm and approve the construction of the law as contained in the following resolution, adopted by that Presbytery:

Resolved: That it is the sense of this Presbytery that an ordained minister in the Cumberland Presbyterian Church cannot legally be a member of any local congregation or "particular church" and that no church session is authorized either to receive such minister to membership or to grant letters to ordained ministers, as church sessions have no jurisdiction over them. Adopted.—1908, p. 79.

### **13. Double Voting (Repeating) Sustained.**

Item 2. The memorial from Cherokee Presbytery, in reference to the vote of Rev. G. P. Howard in that Presbytery, has been referred to this committee. It appears that Mr. Howard voted on the union question in Chickasaw Presbytery, being a member of that Presbytery. He afterward joined the Cherokee Presbytery, and when the same question came before that Presbytery voted again. His right to do so is questioned by the memorialists. We found nothing in the Constitution and Form of Government of the Church prohibiting such a vote. In the civil law a second vote is prohibited by legislative act. There is no such act in our Church law. We, therefore, find such vote is not illegal.

The exercise of the right to vote is a matter that addresses itself to the judgment and conscience of the voter, under the circumstances attending such vote. Adopted.—1905, pp. 68, 69.

#### 14. Double Voting (Repeating) Questioned.

Motion was made for the adoption of the foregoing report, whereupon Elder F. H. Prendergast proposed the following, which was seconded:

“To amend report of Judiciary Committee, by adding thereto:

“This Assembly disapproves of the action of persons voting on a question sent down to the Presbyteries, in one Presbytery, and then moving to another Presbytery, and again voting on the same question. And in such case the Presbytery should reject the second vote.”

The amendment offered by F. H. Prendergast was lost, but at his request consent was given by the Assembly for it to go upon the record. The report of the Judiciary Committee, as originally presented, was then adopted. Adopted.—1905, pp. 68, 69.

#### 15. Ministers Must Attend Synod.

Our Form of Government defines plainly the several judicatories of our Church, requiring prompt attention thereto, a disregard for which inevitably leads to anarchy. To reach delinquent members of Synod, your Committee recommend that the several Synods under your care require each Presbytery to hold its members amenable for non-attendance at Synod. The reasons rendered shall be spread on the minutes of Presbytery, but no reasons shall be sustained unless the hindering causes named were providential. Approved.—1851, p. 23.

#### 16. Relation of a Suspended Minister to Presbytery.

“What relation does a suspended minister sustain to the Presbytery suspending him?”

He is amenable to the Presbytery suspending him, but de-

prived of all the privileges and functions pertaining to the ministerial office. Adopted.—1867, p. 83.

“Has a suspended minister of the gospel a right to exercise himself in any of the functions of the ministry while he is under suspension; and if so, to what extent?”

Your committee is of opinion he has not. Adopted.—1859, p. 20.

“How ought a minister, suspended from the functions of his office, to be treated by his Presbytery?”

With kindness, endeavoring to bring him to repentance. Adopted.—1858, p. 33.

### 17. Restoring a Suspended or Deposed Minister.

Rules of Discipline, Section 41.—A suspended or deposed minister shall not be restored, however penitent he may appear, until he shall exhibit, for a satisfactory period, such an exemplary, humble, and edifying walk and conversation as shall heal the wound made by his offense. A deposed minister shall not be restored until it appears that the general sentiment of the Church demands the same, and then only by the court inflicting the censure, or with its consent.

Rules of Discipline, Section 62.—In proceedings to restore a suspended or deposed minister, it is the duty of the Presbytery to exercise great caution—first admitting him to the communion, if he has been debarred the same, then granting him the privilege of preaching for a season on probation, to test the sincerity of his repentance and prospect of usefulness, and finally restoring him. However, the case shall be regarded as under consideration until the order of restoration has been made.

We (Oregon Presbytery) ask you to declare that a minister under censure cannot be constitutionally restored without confession, repentance, and exemplary, humble, edifying conversation, to heal the wound made by his scandal.

The Assembly answered: “He cannot.”—1863, p. 77.

The General Assembly expressed the opinion that a suspended or deposed minister cannot be restored by any other than the judicatory which suspended or deposed him, unless by the consent of such judicatory.—1866, p. 52.

Resolved, unanimously, that when a minister of the gospel is deposed by due form of process for any offense cognizable by our Form of Government and Discipline, such deposition does not make null and void his ordination, and that when such deposed minister be restored to the exercise of his ministerial function it can be done only by confession and corresponding penitence before the Presbytery which deposed him, or by having obtained a new trial and proving him clear of the charges. Adopted.—1849, p. 49.

### 18. A Minister May Demit His Office.

The Red River Presbytery propounded the following question: Has a minister the right to surrender his credentials to his Presbytery? And does the Presbytery, by accepting, annul all his ministerial functions, there being no charge which can be brought against said minister?

Answered in the affirmative.—1872, p. 20.

### 19. Suspension Cannot Be Removed While an Appeal Is Pending.

“Is it right and proper, and has a Presbytery the power, to remove the suspension of a suspended minister while a regular appeal in his case is pending before a higher judicatory?”

In the opinion of your Committee, Presbytery has no such power. Approved.—1859, p. 20.

### 20. Directory of Ministers.

With regard to the petition of Columbia Synod, your Committee believe the object desirable, and therefore recommend that the Stated Clerk of each Presbytery furnish, annually, the addresses of its ministers to the Stated Clerk of the General Assembly, which shall be appended to the printed minutes of the Assembly. Adopted.—1851, p. 23.

### 21. A Woman May not Be Ordained to the Ministry.

(1894, p. 7; 1894, p. 9; 1894, pp. 23, 24; 1895, pp. 36, 37.)

The special committee on the eligibility of Mrs. L. M.

Woosley to a seat in the General Assembly reported as follows, and the report was adopted:

To the Moderator and Members of the General Assembly:

Your Special Committee, appointed to investigate and report upon the rights of Mrs. L. M. Woosley to a seat in this body as commissioner from Nolin Presbytery, in the Synod of Kentucky, beg leave to report the following: We have nothing regularly before us except the commission of Mrs. Woosley, which appears to be regular; but we are advised that the Synod of Kentucky, since the election of Mrs. Woosley as such commissioner, undertook to declare such election null and void, and that from said action of the Synod Mrs. Woosley prosecutes an appeal to this General Assembly; and also that Nolin Presbytery has memorialized this body to review and reverse the action of the Synod. Therefore, without expressing any opinion as to the merits of the case, we recommend that no action be taken on this reference, but that the same, together with the appeal, memorial, and record in the case, when received by the General Assembly, be referred to the Judiciary Committee for consideration, with instructions to report as early as practicable.—1894, p. 9.

The Committee on Judiciary submitted majority and minority reports. The majority report, which was adopted (p. 29), is as follows:

To the Moderator and Members of the General Assembly:

In the matter of the appeal of Mrs. L. M. Woosley from the action of the Synod of Kentucky; of the memorial of Nolin Presbytery, in the Synod of Kentucky, touching the action of the Synod of Kentucky relative to the licensure and ordination of Mrs. L. M. Woosley to the full work of the gospel ministry; and of the right of Mrs. L. M. Woosley to a seat in this General Assembly as a commissioner from the Nolin Presbytery, in the Synod of Kentucky, on the part of the ministry, your Committee desire to submit the following report:

At its meeting in 1889 Nolin Presbytery ordained Mrs. L. M. Woosley to the full work of the gospel ministry.

At the meeting of the Synod of Kentucky in 1890, the

Synod declared and adjudged that there was no authority, either in the Confession of Faith or the Holy Scriptures, for the ordination of a woman to the work of the gospel ministry, and further declared that the Nolin Presbytery had no authority to ordain Mrs. L. M. Woosley to the gospel ministry.

At the meeting of Nolin Presbytery, in August, 1893, it elected Mrs. L. M. Woosley an alternate commissioner to this General Assembly, on the part of the ministry.

At the meeting of Kentucky Synod, in October, 1893, after reciting the former deliverances of the Synod touching the ordination of a woman to the gospel ministry, said Synod reaffirmed its former rulings and declared that Nolin Presbytery had no authority, in view of the former deliverances of the Synod, for the election of Mrs. L. M. Woosley as an alternate commissioner to the General Assembly, on the part of the ministry, and declared her election null and void and directed Nolin Presbytery to retire her name from its list of ministers.

From this action of the Synod Mrs. Woosley prays an appeal to this General Assembly.

Nolin Presbytery declined to obey the mandate of the Synod and memorializes this General Assembly to review and reverse the action of the Synod.

Your committee are of opinion that the action of Nolin Presbytery in ordaining Mrs. L. M. Woosley to the gospel ministry is contrary to the universal and long established precedents and practices of the Cumberland Presbyterian Church.

We submit:

1. Under the Confession of Faith of the Cumberland Presbyterian Church, in its Constitution and Rules of Discipline, there is no provision made for the licensure and ordination of a woman to the work of the gospel ministry.

2. In the opinion of your committee there is no authority in the Holy Scriptures for the licensure and ordination of a woman to the work of the gospel ministry.

3. The action of Nolin Presbytery in ordaining Mrs. L. M. Woosley to the work of the gospel ministry was without

authority of the Holy Scriptures, and without authority of the Constitution, Rules of Discipline, and Confession of Faith of the Cumberland Presbyterian Church, and such ordination was and is null and void.

4. The action of the Synod of Kentucky in declaring said ordination without authority from the Confession of Faith or the Holy Scriptures was and is right and correct.

5. The order of the Synod of Kentucky, instructing Nolin Presbytery to retire the name of Mrs. L. M. Woosley from its list of ministers was right and proper and should be affirmed.

We recommend that the appeal of Mrs. Woosley be dismissed and that the action of the Synod of Kentucky be ratified and affirmed, and that the memorial of Nolin Presbytery be not granted, and that Mrs. L. M. Woosley be not seated as a member of this General Assembly, for the reason that she is not a regularly ordained minister of the Cumberland Presbyterian Church.—1894, pp. 22, 23.

The Nolin Presbytery memorialized the General Assembly (of 1895) to re-open the case. After due consideration the Assembly answered as below:

This question came before the General Assembly of 1894, upon the memorial of Nolin Presbytery and the appeal of Mrs. Woosley, and was adjudicated by that body upon the record submitted, and was there impleaded by representatives of the parties, thus waiving all right to question the General Assembly's want of jurisdiction. That General Assembly took jurisdiction of the case, upon the application of these parties as above stated, and, after full hearing, gave it final issue by refusing Mrs. Woosley a seat in the General Assembly as commissioner from Nolin Presbytery, and by affirming the order of Kentucky Synod upon Nolin Presbytery to retire her name from its roll of ministers on the ground of the invalidity of Mrs. Woosley's ordination as a minister in the Cumberland Presbyterian Church. Your committeemen submit that a fundamental condition of the seeking of any kind of relief in the courts of our Church is first submitting to the authority of the Church, as expressed in our written law and the injunctions of competent judica-

ories. "Those who have not submitted to a regular trial are not entitled to appeal," Discipline, Art. 80. "Any member of the Church submitting to its authority may complain against every kind of decision except where an appeal has been taken." Discipline, Art. 89. The Constitution, Art. 4, of Government." In Art. 21 it empowers the Presbytery "to see that the injunctions of the higher courts are obeyed," and in Art. 37 it directs the Synod "to take effectual care that the Presbyteries observe the government of the Church, and that they obey the injunctions of the higher courts." Under General Review and Control, Discipline, Art. 69, it is made a matter of examination, "whether the injunctions of the superior courts have been obeyed." Art. 84, Rules of Discipline: "In considering an appeal, the following order shall be observed: 1. Ascertaining whether the appellant has conducted it regularly." The regularity of an appeal involves submission to a regular trial. The regularity of any other form of prayer for relief certainly cannot involve less than the same obedience. On the face of the case before us, the Nolin Presbytery has utterly refused to obey the injunctions of the courts in this very case in hand, and therefore the said Presbytery is rendered ineligible to ask legal redress; and therefore the memorial should be dismissed.

We submit, secondly, that no provision is made in our laws for one General Assembly to re-open a case adjudicated by a former General Assembly. Rules of Discipline, Art. 67: "Every decision made by any Church court, except the highest, is subject to the review of a superior court." The Presbyterian Church holds that "the decision of one General Assembly cannot be reviewed by a subsequent General Assembly. There cannot be a remedy after the last, a court higher than the highest." "A case being once judicially decided by our General Assembly, the decision is final." See Hodge's Church Polity, pp. 502, 503. The Presbyterian General Assembly of 1847 refused to re-open a case passed upon by the General Assembly of 1845. All recognize that there must be an end of litigation. There is no better place to end it than where our Constitution prescribes that it shall



end. Therefore, for this reason also, the memorial should be dismissed.

And we recommend that said memorial of the Nolin Presbytery be, and is hereby, dismissed.—1895, pp. 36, 37.

## II. RULING ELDERS.

Constitution, Section 17.—Ruling elders, the immediate representatives of the people, are chosen by them, that, in conjunction with the minister, they may exercise government and discipline and take the oversight of the spiritual interests of the particular church, and also of the Church generally, when called thereunto. It appertains to their office, both severally and jointly, to watch diligently over the flock committed to their charge, that no corruption of doctrine or of morals enter therein. Evils which they cannot correct by private admonition they should bring to the notice of the church session. They should visit the people at their homes, especially the sick; they should instruct the ignorant, comfort the mourner, nourish, guard, and instruct the children of the church; and all those duties which private Christians are bound to discharge by the law of charity are especially incumbent upon them by Divine vocation and are to be discharged as official duties. They should pray with and for the people; they should be careful and diligent in seeking the fruit of the preached word among the flock, and should inform the minister in charge of cases of sickness, affliction, and awakening, and of all others which may need his special attention.

### 1. Who Should Be Elected Ruling Elders?

Constitution, Section 18.—Those who fill this office ought to be blameless in life and sound in the faith; they should be men of wisdom and discretion, and by the holiness of their walk and conversation should be examples to the flock.

Constitution, Section 46.—Do you, the members of this church, acknowledge and receive this brother as a ruling elder; and do you promise to yield him all that honor, encouragement, and obedience in the Lord to which his office,

according to the Word of God and the government of this Church, entitles him?

## 2. A Woman May not Be Ordained a Ruling Elder.

Deliverance of 1891.

The Committee on Judiciary respectfully report that they have carefully considered the memorial from the Presbytery of Oxford, herewith returned, requesting this General Assembly "to consider and record a deliverance on the question as to whether a woman may, under any circumstances, be ordained and installed to the office of ruling elder," and respectfully recommend that in accordance with the Constitution of the Cumberland Presbyterian Church you declare that a woman may not be ordained and installed to the office of ruling elder.—1891, p. 11.

## 3. A Woman May Be Ordained a Ruling Elder.

Deliverance of 1892.

Note.—This question of the eligibility of woman to the office of ruling elder again comes before the Assembly, in 1892, through a memorial from Rushville Presbytery. The Committee on Judiciary made majority and minority reports. The minority report was adopted, as follows: "That your reverend body declare that the ordination and installation of women as ruling elders may be permitted where it shall appear needful."—Adopted, 1892, p. 24.

Quite a protest was entered at once against this action of the Assembly, signed by forty-two commissioners, claiming, among other charges, that it was an innovation, that it was unconstitutional, therefore null and void, and therefore to be reversed.—1892, pp. 46, 47.

## 4. A Woman Seated in the General Assembly as a Commissioner.

The action of this Assembly, that of 1892, in declaring that women may be ordained and installed as ruling elders "where it shall appear needful" seems to have largely aided in the seating of Mrs. Claggett in the 1893 Assembly, she

coming as a commissioner on the part of the eldership from Nolin Presbytery, as witness this record:

“In accordance with the recommendation of the majority report, the name of Mrs. P. L. Claggett was enrolled as a commissioner from the Nolin Presbytery.” Adopted.—1893, p. 14.

### 5. Proposed Amendments to the Constitution.

In response to certain memorials touching the “woman eldership” question, the General Assembly sent down to the Presbyteries two sets of proposed amendments to the Constitution, as follows:

First set of proposed amendments:

That sections eighteen (18) and twenty (20) of the Constitution be amended by substituting the word “persons” for the word “men.”

That section twenty-three (23) of the Constitution be amended by striking out the same, as it now stands, and inserting in lieu thereof the following:

“Any member of the Church, male or female, of mature age, and in full communion, shall be eligible to the office of ruling elder or deacon.”

Second set of proposed amendments:

That section eighteen (18), second clause, be amended by striking out the word “men” and inserting in lieu thereof the words “males only”; and that section twenty (20), first clause, be amended by striking out the word “men” and inserting in lieu thereof the words “males only.”

### Deliverance of 1894.

The report of the Stated Clerk of the General Assembly concerning the change of the Constitution of the Church relative to the election of women to the offices of ruling elder and deacon, together with the vote of the Presbyteries upon the same, has been submitted to us. Upon examination of said papers we find that the proposition for the change has been lost, the vote standing as follows: For the first amendment, 15; for the second amendment, 33; against any change, 56. Presbyteries not voting, 22.—1894, p. 56.

## Deliverance in 1896.

Your Committee on Minutes of Indiana Synod report that we have carefully examined the manuscript minutes for the year 1895. The minutes show that the Synod is in hearty and active sympathy with all the interests and enterprises of the Church. Your committee note the following violation of the Constitution of the Church: Mrs. S. K. Hart was admitted as a representative from the Pisgah congregation. Approved.—1896, p. 63.

**6. An Elder or Deacon Cannot Be Elected for a Limited Period—Cannot Be Deposed Except by Trial.**

Constitution, Section 47.—The offices of ruling elder and deacon are perpetual, and no one can be divested of either office but by deposition, after regular trial, or, at his own request, by resignation. Yet a ruling elder or deacon may, though chargeable with neither heresy nor immorality, become unacceptable, in his official character, to a majority of the church which he serves. In such a case it shall be the duty of the Church session, upon application either from the officer or from the church, to dissolve the relation. But this shall not be done without affording full opportunity for the parties to be heard.

The office of ruling elder and the office of deacon being perpetual, is the term of service also necessarily perpetual? —1879, p. 34.

Your committee is of opinion, and so report, that a congregation has no power to depose or retire an elder against his consent, evinced by voluntary resignation, except upon charges, and a fair trial, and conviction of some dereliction of duty in his office, or unchristian conduct. Your committee cannot undertake to enumerate all the grounds which would be sufficient for deposition of an elder. This must be left to the judgment of the session before which he is arraigned, in each particular case, subject to an appeal to the Presbytery. Your committee regard it a sacred principle, that no member or officer of a church can be deprived of his privileges without having an opportunity of being heard in his defense. Adopted.—1880, p. 23.

### 7. Rotation in Office.

The Committee on Judiciary submitted a report, the consideration of which was referred to the next General Assembly, the report being as follows:

The Republican Valley Presbytery ask that the Constitution of the Church be changed so as to provide for rotation in the office of elder, and that any member over the age of twenty-one be eligible to that office.

1. The subject of rotation has been often and thoroughly discussed by former Assemblies, with the result that no change has been made.

The committee think there is ample provision for removing an unacceptable elder, in our present Constitution.

2. The committee think, in regard to the second proposition, that as the Constitution now stands, any members of the congregation—not ineligible on other grounds—may lawfully be made an elder, and therefore no change is recommended.—1896, p. 59.

We have had referred to us the report of the Judiciary Committee of the General Assembly of 1896. We beg leave to report that, in the opinion of your committee, the report of the committee referred to us is, under the Constitution of our Church, correct, and we recommend that it be adopted. Approved.—1897, p. 69.

### 8. Electing Elders to Moderate.

The Judiciary Committee beg leave to report that they have duly considered the memorial and reference of Brazos Synod, presenting the question of the eligibility of elders for the position of Moderator in the judicatories of the Church. Your committee is of opinion, and so report, that by the form and genius of our government there is no discrimination between the ministers and elders constituting our Presbyteries, Synods, and General Assembly, as to powers, duties, and eligibility to office in said courts. Such a discrimination would be disparaging to the laical constituency of said bodies, and destroy that equality in dignity and power which was intended to exist. To produce this effect would require some express provision. The omission of such provision,

your committee considers almost conclusive evidence that none such was intended. The long-existing usage, which will perhaps continue, of selecting ministers to the moderatorship, is very different from the question of legal eligibility. Your committee is, therefore, of opinion, and so report, that it is the right of the judicatory to elect any member of the body, either minister or elder, to preside over its deliberations, and that every member is equally eligible, whether he be minister or elder. Referred to the next General Assembly.—1880, p. 35.

(The Judiciary Committee of the next Assembly, 1881, took up this question of elders as Moderators of Church Courts, made majority and minority reports, which were each tabled; but the Assembly of 1887 makes the following deliverance.—A. C. B.)

“There is nothing either in the spirit or genius of Presbyterianism violated by such action” (the electing of a ruling elder to moderate the body.)—1887, p. 32.

### **9. Ruling Elders not Members of Presbytery May Be Placed on Permanent Committees.**

In the matter of the memorial from the Bell Presbytery, the committee find this question:

“Are ruling elders who are not members of Presbytery competent to be made members of standing committees?”

The Committee have not reached a conclusion on this question, without hesitation and difficulty. We believe a strict or literal interpretation of the law would lead to an answer in the negative. But we believe, further, that it is a safe rule by which we may be governed, to give such construction of the law as will enable Church judicatories to promote the interests of the Church most effectively. If we deny the right of Presbytery to appoint elders to important duties, simply because they are not, for the time being, members of Presbytery, we thereby greatly curtail the power of the Presbyteries in employing talented and useful men in the work of the Church.

We therefore reach the conclusion that a liberal construc-

tion of the law, in the case, will give the Presbyteries enlarged means of usefulness and that no injury can possibly result. Hence we answer the question of the memorial in the affirmative. Adopted.—1875, p. 24. (See note 137 on this same question.)

**10. An Elder not a Member of Presbytery May Be Elected a Commissioner to the General Assembly.**

“Are elders, who are not members of Presbytery, eligible to be elected commissioners to the General Assembly?”

We answer this question in the affirmative, on the grounds assigned for the answer to the first question (see 9, above), and for the additional reason, that the book gives express authority to Presbyteries to appoint elders commissioners to the General Assembly, whether such elders are members of Presbyteries or not. Adopted.—1875, p. 24.

**11. An Elder not Compelled to Vote as Instructed.**

“Is a ruling elder, when sitting as a member of Presbytery, bound to vote according to instructions given by the session that appointed him, upon the questions of approval or disapproval of constitutional amendments proposed by the General Assembly to the Presbyteries, or has a church session the right to instruct in such a case?”

Answer. In representative governments the people have the right to instruct their representatives, who are under obligations to obey; but we know of no law of this Church which imposes like obligations upon representatives. Adopted.—1873, p. 30.

### III. DEACONS.

Constitution, Section 19.—The duties of this office especially relate to the care of the poor and to the collection and distribution of the offerings of the people for pious uses, under the direction of the church session. To the deacons, also, may be properly committed the management of the temporal affairs of the church, or the same may be

committed to the deacons and the church session, as a Board, sharing equal rights and responsibilities.

### **1. Men Chosen to This Office.**

Constitution, Section 20.—To this office should be chosen men of honest repute and of approved piety, who are esteemed for their prudence and sound judgment, whose conversation becomes the gospel, and whose lives are exemplary, seeing that those duties to which all Christians are called in the way of beneficence are especially incumbent on the deacon as an officer in Christ's house.

Constitution, Section 22.—In churches where it is impracticable to secure suitable men for deacons, the duties of this office devolve on the ruling elders.

Constitution, Section 46.—Do you, the members of this church, acknowledge and receive this brother as a deacon; and do you promise to yield him all that honor, encouragement and obedience in the Lord to which his office, according to the Word of God and the Government of this Church, entitles him?

### **2. Deacons Must Keep a Record.**

Constitution, Section 21.—A complete account of collections and distributions, and a full record of proceedings, shall be kept by the deacons and submitted to the church session for examination and approval at least once a year.

### **3. Deacons Cannot be Elected for a Limited Period.**

(See Section 2, under Ruling Elder, p. 96.)

### **4. Women May be Appointed to Care for the Sick.**

Constitution, Section 23.—Where it shall appear needful, the church session may appoint godly women for the care of the sick, of prisoners, of poor widows and orphans, and in general for the relief of distress.



## IV. CHURCH COURTS.

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The Church courts recognized by the New Testament are Church Sessions (1 Tim. 5:17), Presbyteries (1 Tim. 4:14), and Synods, or Assemblies (Acts 15:5-21).—From Introductory Statement on Church Government, Confession of Faith, p. 80.

Confession of Faith, Sections 110, 111.—Church government implies the existence of Church courts, invested with legislative, judicial, and executive authority; and the Scriptures recognize such institutions, some of subordinate and some of superior authority, each having its own particular sphere of duties and privileges in reference to matters ministerial and ecclesiastical, yet all subordinate to the same general design.

111. It is the prerogative of these courts, ministerially, to determine controversies of faith and questions of morals, to set down rules and directions for the better ordering of the public worship of God and government of his Church, to receive complaints in cases of mal-administration, and authoritatively to determine the same, which determinations are to be received with reverence and submission.

Constitution, Sections 24, 25.—It is necessary that the government of the Church be exercised under some certain and definite form, and by various courts, in regular gradation. These courts are denominated Church Sessions, Presbyteries, Synods, and the General Assembly.

25. The Church Session exercises jurisdiction over a single church; the Presbytery, over what is common to the ministers, church sessions, and churches within a prescribed district; the Synod, over what belongs in common to three or more Presbyteries, and their ministers, church sessions, and churches; and the General Assembly, over such matters as concern the whole Church; and the jurisdiction of

these courts is limited by the express provisions of the Constitution. Every court has the right to resolve questions of doctrine and discipline seriously and reasonably proposed, and in general to maintain truth and righteousness, condemning erroneous opinions and practices which tend to the injury of the peace, purity, or progress of the Church; and although each court exercises exclusive original jurisdiction over all matters specially belonging to it, the lower courts are subject to the review and control of the higher courts, in regular gradation.

All Church courts shall be opened and closed with prayer.

Rules of Discipline, Section 67.—Every decision made by any Church court, except the highest, is subject to the review of a superior court, and may be brought before it by general review and control, reference, appeal, or complaint.

Rules of Discipline, Sections 68-72.—Every court above the church session shall, at stated intervals, as prescribed, review the proceedings of the court next below. If any lower court shall omit to send up its records for this purpose, the higher court may order them to be produced, either immediately, or at a particular time, as circumstances may require.

69. In reviewing the records of an inferior court, it is proper to examine: 1. Whether the proceedings have been regular. 2. Whether they have been wise, equitable, and for the edification of the Church. 3. Whether they have been correctly recorded. 4. Whether the injunctions of the superior courts have been obeyed.

70. Generally, the superior court may discharge its duty by simply recording on its own minutes the approval, the correction of proceedings, or the censure which it may think proper to pass on the records under review, also making an entry of the same in the book reviewed. But, should irregular proceedings be found, such as demand interference, the inferior court may be required to review and correct them. In cases of process, however, no judgment of an inferior court shall be reversed, unless regularly brought up by appeal or complaint.

71. Should courts neglect to perform their duty, and thereby heretical opinions or corrupt practices be allowed to gain ground, or offenders suffered to escape, or circumstances of great irregularity be not distinctly recorded, whereby their records may not exhibit a full view of their proceedings, the superior court, if satisfied that such neglect or irregularity has occurred, shall take cognizance of the same, examine, deliberate, and judge in the whole matter as if it had been recorded, and thus brought up by review of the records.

72. When a court of appellate jurisdiction shall be advised, either by the records of the court below, or by memorial with or without protest, or by any other satisfactory mode, of any important delinquency or irregular proceedings of such court, it may be cited to appear by representative or in writing, at a specified time and place, to show what it has done, or failed to do, in the matter in question. The court issuing the citation, after full investigation, may reverse the proceedings in other than judicial cases, or it may remit the whole matter to the court below, with an injunction to take it up and dispose of it in a regular manner; or all further proceedings in the matter may be suspended by the appellate court, as circumstances may require.

### 1. Moderators of the Church Courts.

General Regulations, Section 1.—The Moderator possesses, by delegation from the whole body, all authority necessary for the preservation of order, for directing business according to the rules of the Church, and for convening the court as prescribed by the Government, and adjourning the same according to its own order. The Moderator of the other church courts [i. e. above the Session] shall be elected at each stated meeting thereof, and holds his office until his successor shall be elected. At the opening of each stated meeting of these courts, a sermon shall be preached, if practicable, by the Moderator or by some minister selected for that purpose either by him or the Stated Clerk.

General Regulations, Section 1.—In the absence of the Moderator, the Stated Clerk shall preside until a Moderator is elected; and in the absence of both Moderator and Stated Clerk, the members present shall select some member to preside until a Moderator shall be chosen.

## 2. Clerks of Church Courts.

General Regulations, Section 2.—Each church court shall appoint a Stated Clerk, who shall keep and preserve all minutes, documents, and papers committed to his care, and carry, or send by a faithful messenger, the minutes of each meeting to the meeting next succeeding. He shall hold his office during the pleasure of the court.

It shall be his duty to record all the minutes in a well-bound book to be kept for that purpose; to grant extracts from them when properly required. Such extracts, under his hand, shall be considered authentic evidence of the facts which they declare. He shall also perform the duties of Clerk during the meeting of the court, unless otherwise determined by it.

Rules of Order, Section 15.—As soon as possible after the commencement of the first session of every judicatory, the Clerk shall form a complete roll of the members present, and place the same in the hands of the Moderator, and add thereto the names of additional members when they are admitted to their seats.

Rules of Order, Section 16.—He (the Clerk) shall keep a correct and faithful record of the transactions of the judicatory.

### (1) Inefficient Clerks to be Removed.

Whereas, It is very important that the true statistics of the Church should be obtained, and whereas this work cannot be accomplished unless the Stated Clerks of Presbyteries and the Clerks of Church Sessions will do their whole duty; therefore,

Resolved, 1. That it shall be made the imperative duty of the Stated Clerk of the General Assembly to report to the Presbyteries the names of the Clerks of Church Ses-

sions who fail to discharge their obligations in this particular, and that the Presbyteries be directed to urge upon Church Sessions the removal of their inefficient Clerks of Sessions, and the appointment of faithful ones in their stead. Adopted.—1889, p. 52.—Reaffirmed 1891, 1897, 1899.

### **(2) Records Cannot be Changed After Adjournment.**

Rules of Order, Section 3.—After the final adjournment of a judicatory, its record shall not be subject to correction or alteration at a subsequent meeting.

Resolved, That no Church judicature has the right to alter, change, or amend any minutes of any preceding session whatever, and that minutes can only be corrected and amended at the session when they were made. Adopted.—1858, p. 21; 1860, p. 73.

### **(3) Verbal Testimony not Admissible in Records.**

Your Committee find an appeal taken from a decision of the Arkansas Synod by a respectable number of members, wherein said Synod had decided that verbal testimony is admissible before a Committee on Church Records. The decision was appealed from. Your Committee are of the opinion that committees on records have nothing to do with anything aside from the records placed in their hands. Adopted.—1853, p. 27.

### **(4) Unanimous Vote Necessary to Expunge Matter From the Records.**

Rules of Order, Section 42.—It shall require the unanimous vote of the members present to expunge any matter from the records.

## **3. Treasurer of Church Courts.**

Rules of Order, Sections 22-24.—The Treasurer shall keep his books properly posted, so as to exhibit at all times the financial condition of the judicatory; he shall charge

himself with every item of property received, with the date, source, and other minute particulars pertaining thereto.

23. He shall not pay out any money, or part with any property, without an order from the judicatory, signed by the Moderator and Clerk, authorizing him to do so.

24. He shall report, whenever required, the condition, in detail, of the finances of the judicatory.

## I. THE CHURCH SESSION.

Constitution, Sections 26-28.—The Church Session consists of the minister in charge and two or more ruling elders of a particular church.

In the absence of the minister in charge, and in a vacant church, the ruling elders alone may form a Church Session for the transaction of any business.

The Church Session shall be convened when any two ruling elders shall so request. The minister in charge may convene the Church Session at any time.

A majority of the Church Session shall be necessary to constitute a quorum, unless, with the concurrence of the church, the Church Session shall otherwise determine; but any two of the ruling elders, in conjunction with a minister, may receive members and grant letters of dismission.

27. The Church Session is charged with maintaining the spiritual government of the church, for which purpose it is its duty to inquire into the doctrines and conduct of the church members under its care; to receive members into the church; to admonish, suspend, or excommunicate those found delinquent, subject to appeal; to urge upon parents the importance of presenting their children for baptism; to grant letters of dismission, which, when given to parents, shall always include the names of their baptized children; to ordain and install ruling elders and deacons when elected, and to require those officers to devote themselves to their work; to examine the records of the proceedings of the deacons; to establish and control Sabbath schools and Bible classes, with especial reference to the children of the

church; to order collections for pious uses and church purposes; to take the oversight of the singing in the public worship of God; to assemble the people for worship when there is no minister; to concert the best measures for promoting the spiritual interests of the church; to observe and carry out the injunctions of the higher courts; and to appoint representatives to the higher courts, and require on their return a report of their diligence.

28. Every Church Session shall keep an accurate record of its proceedings, which must be, at least once in every year, submitted to the inspection of the Presbytery.

Every Church Session shall also keep a register of marriages, of baptisms, of accessions, and of the death and dismissions of church members.

### 1. Moderator of the Session.

General Regulations, Section 1.—The minister in charge, when present, is the Moderator of the Church Session, except where he is a party, or is personally interested in the subject-matter under consideration, in which event one of the ruling elders may preside, or the Church Session may invite some other minister to act as Moderator.

There has been referred to your Committee a Memorial from Austin Presbytery, submitting to the General Assembly a question involving the legality of a licentiate to act as Moderator of a Church Session, while serving such church as its supply, and asking the General Assembly to make a deliverance on this question.

Your Committee recommends that the General Assembly rule, in answer to said Memorial from Austin Presbytery, that a licentiate is not authorized to act as Moderator of a Church Session. Adopted.—1906, p. 90.

### 2. Invited Moderator Cannot Vote.

In the complaint against Texas Synod your committee recommends that “a minister acting as Moderator of the session, by invitation of the church session, shall not have the right to vote,” and the report as thus amended was adopted.—1895, p. 34.

### 3. The Clerk of the Session.

(Note.—See “Clerks of Church Courts,” or General Regulations, Section 2, and Rules of Order, Sections 15, 16, Digest, p. 104.)

#### (1) The Clerk Is the Creature of the Session.

They have also had before them the appeal from the decision of Sangamon Synod, in the following case: The Session of West Union congregation elected a new Clerk, ordering him to procure from the old clerk the church records. The old clerk claimed that he was still the clerk, and the Mackinaw Presbytery so decided. The case was appealed to the Sangamon Synod, which reversed said decision on the ground that the clerk is the creature of the session. Your committee recommends that you affirm the decision of the Synod. Adopted.—1882, p. 28.

#### (2) The Clerk Should Keep a Record of All Money.

Whereas, it is desirable for the credit and encouragement of the Church that the total contributions of our members should appear in the minutes of the General Assembly; and

Whereas, it is apparent that much money contributed is not so reported, and hence the financial showing of the Church is partial and incomplete; therefore be it

Resolved: 1. That it is the sense of this Assembly that all session clerks or treasurers should keep a careful record of all money contributed by the members for various Church enterprises, in order to be able to make a complete report of all the benevolent offerings of the congregation.

2. That all agents or others collecting money from the members of our congregations should give a receipt to the session clerk or treasurer for the amount collected for the cause he represents. Adopted.—1896, p. 58.

### 4. The Session May Hold a Meeting in the Absence of the Minister.

Constitution, Section 26.—In the absence of the minister in charge, and in a vacant church, the ruling elders alone may form a church session for the transaction of any business.



It is the opinion of this General Assembly that a church session has the right to meet and transact any business coming before it at its regular meetings, in the absence of the pastor. Adopted.—1850, p. 16.

“Have the ruling elders of a congregation, having a minister, the authority to hold meetings for the transaction of business in the absence of said minister?” We answer that they have. Though the minister is Moderator of the session, yet he is not invested with power to prevent the session from convening and transacting business in his absence, whether by tardiness or intentional absence. Adopted.—1865, p. 188.

### 5. The Session Has Original Jurisdiction Over Church Members.

Rules of Discipline, Section 7.—Original jurisdiction in relation to . . . Church members pertains to the church session.

Constitution, Section 27.—It is the duty of the church session to admonish, suspend, or excommunicate those found delinquent, subject to appeal.

“Has Presbytery the right to excommunicate a deposed minister from the communion of the church?”

In the judgment of your committee, it has not. The church session alone has the right to receive into, or cut off from, the communion of the church. Adopted.—1864, p. 140.

### 6. How the Session Should Enter Process against an Elder or Deacon.

See the preceding section (5).—“The session has original jurisdiction over Church members.”

As the Presbytery enters process against a minister, so the session enters process against an elder or deacon.

Rules of Discipline, Section 43.—This principle (see first paragraph in Section 43, Rules of Discipline) shall also apply—the necessary changes being made—to ruling elders and deacons.

The memorial from Tulare Presbytery propounds the fol-

lowing question: "Has a Presbytery the power to depose a ruling elder?" In answer to this question your committee says that, as a general rule, the session is the only Church court that has original jurisdiction to hear charges, try, and depose a ruling elder. But when, from any cause, a fair and impartial trial cannot be had before the session, or where the trial of the case, for sufficient reasons, is referred by the session to the Presbytery, or where the case is removed by appeal from the session to the Presbytery, and is there heard and determined, the Presbytery may depose an elder, but not otherwise. Adopted.—1887, p. 13.

### **7. When May the Session Retire the Name of a Church Member?**

Rules of Discipline, Sections 63, 64.—When a member shall make his offense known to the church session, a statement of the facts shall be recorded, and judgment rendered without process.

64. When a member shall profess before the church session an unregenerate heart or may, for any reason, desire to cease to be a member of the church and no charges are pending against him, the court may retire his name from the roll, record the facts, and, at its option, announce them publicly. However, this action shall not be taken until the church session has ascertained, after due inquiry, that the conduct of the member is not the result of temptation or transient darkness of spirit.

### **8. To Whom Does an Elder Resign?**

By a memorial from Obion Presbytery this General Assembly is requested to make a deliverance upon the question: "Who shall act upon the resignation of a Ruling Elder, the session, or the congregation?"

This is a new question in that, so far as the committee can find, it has never been settled by the action of any General Assembly. We find, however, that at the organization of a church the members elect the elders; thereafter the session may nominate for the office of elder additional persons to

the church for election by the members. The nominations of a session shall not, however, preclude additional nominations being made by any member of the church. After a person is so elected by the members to the office of elder, the church session is convened in the presence of the church where the elder and congregation are each asked to answer certain questions in the presence of the other, after which the elder is ordained in the presence of the congregation. The fact that the Constitution makes the church membership the body which creates all elders carries with it the presumption that, except in cases where it is otherwise expressly provided by law, the power that creates should be invoked to undo the action it has theretofore taken.

We are of the opinion that the congregation should have the right to act upon the resignation of an elder. Your committee therefore respectfully recommends that this General Assembly shall rule that a ruling elder should present his resignation to the church session, that the session by proper order should refer said resignation to the church at a stated appointment for worship, when the resignation should be acted upon by the members of the church; the action of the church should be reported back to the session and a minute of same be entered upon its record. Adopted.—1916, p. 114; 1917, p. 136.

### **9. The Session May Retire an Elder or Deacon.**

Constitution, Section 47.—Yet, a ruling elder or deacon may, though chargeable with neither heresy nor immorality, become unacceptable in his official character to a majority of the church which he serves. In such a case it shall be the duty of the church session, upon application either from the officer or from the church, to dissolve the relation. But this shall not be done without affording full opportunity for the parties to be heard.

### **10. Sunday Schools Are under the Care of the Church Session.**

Constitution, Section 27.—It is the duty of the session “to establish and control Sabbath schools.”

We recommend that this General Assembly emphasize to the Presbyteries, and through them to the congregations, the fact that all Sabbath schools should be under the care of church sessions, and that the sessions should assume and maintain the control of the schools. Adopted.—1889, p. 46.

### 11. When a Session May Be Dissolved by Presbytery.

The following was adopted:

Whereas, The opinion of this Assembly was respectfully solicited in respect to the means by which difficulties are to be settled in Church sessions; therefore be it

Resolved: That the following answer be given. The Presbytery has power to send a committee to confer with sessions where difficulties exist and to settle them if practicable; if, however, such difficulties cannot be removed, Presbytery may dissolve such sessions and divide the societies, attaching them to the most convenient congregations, the sessions of which may deal with offending members.—1842, pp. 40, 41, MSS.

## II. THE PRESBYTERY.

### 1. Presbytery Organized by Synodical Authority.

Constitution, Section 37.—The Synod has power to create, divide, or dissolve Presbyteries when deemed expedient.

The papers referred to us from parties in Oklahoma, stating that they had organized the Presbytery of Oklahoma, and desired that the Presbytery be recognized by this General Assembly, have been fully considered. The memorial states that the parties entering into this organization were formerly members of Wichita Presbytery. Nothing appears in any of the papers, showing any synodical authority for such action. But, on the contrary, there is a statement that the Kansas Synod did not authorize the organization.

Our Constitution, on page 93, states explicitly that the power to create a Presbytery belongs exclusively to the Synod.

We therefore recommend that you refuse to recognize

this Presbytery and refer the whole matter to Kansas Synod. Adopted.—1895, p. 21.

Your Committee on Judiciary report as follows, concerning the formation of the Presbytery of Seattle, a matter referred to us—viz.:

The Synod is the proper court, under our system, to authorize the organization of Presbyteries (Constitution, Section 37) and pass upon the legality of the organization.

The question of the regularity or irregularity of the erection of a Presbytery could not come before this General Assembly before the Synod had passed upon the matter.

There is no evidence before this committee that the Synod has passed upon the erection of Seattle Presbytery. Therefore this matter is not properly before us for consideration.

We therefore recommend that you decline to consider the question of the formation of Seattle Presbytery. Adopted.—1896, pp. 17, 18.

## **2. Constituent Elements of Presbytery.**

Constitution, Section 29.—A Presbytery consists of all the ordained ministers and one ruling elder from each church, within a certain district.

## **3. What Entitles a Church to Representation in Presbytery?**

Constitution, Section 29.—Every particular church which is willing to support the gospel as God has prospered it, shall be entitled to be represented by a ruling elder in Presbytery.

## **4. What Constitutes a Quorum in Presbytery?**

Constitution, Section 30.—Any three ministers belonging to the Presbytery, being met at the time and place appointed, shall be a quorum competent to proceed to business.

## **5. How often Must Presbytery Meet?**

Constitution, Section 33.—The Presbytery shall meet as often as once a year on its own adjournment.

Your committee is decided in the opinion that a Presbytery may hold annual or semi-annual sessions, but not biennial sessions.—1872, p. 20.

## **6. Provision for Failure of Presbytery to Meet at the Time to Which It Stood Adjourned.**

Constitution, Section 34.—If, for any cause, the Presbytery shall fail to meet at the time and place to which it stands adjourned, it shall be the duty of the Moderator, or in case of his absence, death, or inability to act, the Stated Clerk, or in case of his absence, death, or inability to act, any three ministers belonging to the Presbytery, to call a meeting as early as practicable, at such place as may be designated for the transaction of the regular business; and for this purpose a circular letter shall be sent, as before prescribed, not less than ten days before the meeting.

## **7. Special Meetings of Presbytery.**

Constitution, Section 33.—When an emergency shall require a meeting sooner than the time to which it stands adjourned, the Moderator, or, in case of his absence, death, or inability to act, the Stated Clerk shall, with the concurrence, or at the request, of two ministers and two ruling elders of different churches, call a special meeting. For this purpose he shall give notice—specifying the particular business of the intended meeting—to every minister belonging to the Presbytery and to the church session of every particular church in due time previous to the meeting, which shall be not less than ten days. And nothing shall be transacted at such special meeting besides the particular business for which the Presbytery has been thus convened.

## **8. Who Are Members of Called Meetings?**

General Regulations, Section 8.—Called meetings of church courts above the church session shall be composed of the same members, or their alternates, constituting the preceding stated meeting of the same court, unless the constituent body shall designate some one else as a representative to such called meeting.

## **9. Moderator of Presbytery.**

(Note.—See “Moderators of the Church Courts.” Page 103, et seq.)

### 10. Stated Clerk of Presbytery.

(Note.—See General Regulations, Section 2, and Rules of Order, Section 15, 16, under “Clerks of Church Courts.” New Cumberland Digest, p. 104.)

We further recommend that, as a matter of convenience in the transaction of business between your Stated Clerk and the Presbyteries, the Presbyteries, when practicable, shall select the same person Clerk and Treasurer. Adopted.—1897, p. 63.

That it shall be the duty of the Stated Clerks of Presbyteries to report to the Presbyteries the names of the clerks of church sessions who fail to discharge their obligations in this particular, and that the Presbyteries be directed to urge upon church sessions the removal of inefficient clerks of sessions and the appointment of faithful ones in their stead. Adopted.—1889, p. 52.

### 11. Advisory Members and Visiting Brethren in Presbytery.

General Regulations, Section 9.—Ministers in good standing in other Presbyteries, or in any ecclesiastical body with which this Church has established correspondence, being present at any meeting of a Presbytery or Synod, may be invited to sit and deliberate as advisory members. Ministers of like standing in other evangelical Churches may be invited to sit as visiting brethren. It is proper for the Moderator appropriately to introduce these ministers.

### 12. Powers of Presbytery.

Constitution, Section 31.—The Presbytery has the power to examine and decide appeals, complaints, and references brought before it in an orderly manner; to receive, examine, dismiss, and license candidates for the holy ministry; to receive, dismiss, ordain, install, remove, and judge ministers; to review the records of the church sessions, redress whatever they may have done contrary to order, and take effectual care that they observe the government of the Church; to establish the pastoral relation and to dissolve it, at the request of one or both of the parties, or where the interests of religion imperatively demand it; to set apart evangelists to their proper work; to require ministers to devote them-

selves diligently to their sacred calling and to censure and otherwise discipline the delinquent; to see that the injunctions of the higher courts are obeyed; to condemn erroneous opinions which injure the purity or peace of the Church; to resolve questions of doctrine and discipline seriously and reasonably proposed; to visit particular churches, to inquire into their condition, and redress the evils that may have arisen in them; to unite or divide churches, with the consent of a majority of the members thereof, and, for cause, to dissolve the relation between it and a particular church, which shall thereafter cease to be a constituent of the Cumberland Presbyterian Church, and forfeits all rights as such; to form and receive new churches; to take special oversight of vacant churches; to concert measures for the enlargement of the Church within its bounds; in general, to order whatever pertains to the spiritual welfare of the churches under its care; to appoint representatives to the higher courts; and, finally, to propose to the Synod or to the General Assembly such measures as may be of common advantage to the Church at large.

### **(1) Presbytery Has the Power to Receive Ministers.**

There are but two ways by which a man can become a member of a Presbytery: (1) By regular process of trial, licensure, and ordination, whereby he is constituted a minister of Jesus Christ; (2) by a letter of dismissal and recommendation from one Presbytery to another.

To constitute a man a minister of Christ and clothe him with full ecclesiastical authority, by a simple declaration or resolution, is wholly unknown to the Constitution of our Church, and is without precedent. Adopted.—1858, p. 19.

General Regulations, Section 7.—Ministers from other denominations seeking admission to a Presbytery shall be examined touching their views in theology and upon Church government; shall be required to answer in the affirmative the questions put to the licentiates at their ordination; and shall, in other respects, satisfy the Presbytery of their fitness for the gospel ministry.

Can any one become a minister and member of a Presby-



tery of the Cumberland Presbyterian Church without adopting the Confession of Faith and Form of Government of the Church?

Answer: He cannot. Adopted.—1873, p. 30.

(a) A minister can transfer his membership by letter only. Rules of Discipline, Section 98.—No minister or probationer, a member of a Presbytery, shall be admitted to membership in another Presbytery without a letter of dismissal from the Presbytery to which he belongs, or from the Synod of which said Presbytery is a constituent part.

(b) A minister cannot be received “on the faith of a forthcoming letter.”

Your Committee on the Minutes of the Ohio Synod would report that we have had in our hands the records of 1878 and 1879. We find in them no record of a departure from our standards, except (page 22, records 1879) that the Synod authorizes the Stated Clerk of the Muskingum Presbytery to receive and enroll, as a member of said Presbytery, any one presenting to him a letter of dismissal and recommendation. This your committee thinks is not Presbyterian. Approved.—1880, p. 16.

The reception and the dismissal of ministers are Presbyterian acts. The Constitution, Section 31, says that the Presbytery has power to “receive” and “dismiss” ministers. In General Regulations, Section 6, the form of the letter to be given a minister closes as follows: “Given by order of said Presbytery, this — day of —, A.D. —.” This clearly shows that the Presbytery must be in session on the day on which the letter is dated.

A great deal of looseness has grown up on account of Presbyteries’ directing their clerks to give letters “if called for,” and by receiving ministers “on the faith of a forthcoming letter,” as shown by the report of the Stated Clerk, it appearing that eight ministers are reported, each being a member of two Presbyteries at the same time. This practice is clearly contrary to the law. In 1880 (Minutes, p. 16) the Assembly held that the Stated Clerk of a certain Presbytery could not “receive and enroll, as a member of said

Presbytery, any one presenting to him a letter of dismissal and recommendation.”

If a clerk cannot “receive and enroll,” he certainly cannot issue a letter “if called for.” The one calling for a letter on such conditions is either a member of the Presbytery when it adjourns or he is not. If he is not, there could arise no occasion later for his calling for a letter. If he is a member of the Presbytery on its adjournment, the granting of a letter by the Stated Clerk is not a Presbyterial act, and hence is contrary to the law.

## (2) Presbytery Has the Power to Receive and License Probationers.

Constitution, Section 50, 51.—The Holy Scriptures require that those who are to be ordained to the ministry shall previously undergo a suitable trial, in order that this office may not be degraded by being committed to weak or unworthy men, and that opportunity may be afforded to form a correct judgment respecting the talents of those seeking admission to this office. For this purpose Presbyteries shall receive and license probationers to preach the gospel, that, after a competent trial of their talents, they may in due time be ordained.

51. Presbyteries, in receiving probationers, shall require satisfactory testimonials of their good moral character and regular membership in some particular church. It is the duty of the Presbytery, for its satisfaction with regard to the real piety of each probationer, to examine him respecting his experimental acquaintance with religion, the motives which influence him to desire the sacred office and his internal call to this important work.

### (a) Qualifications for licensure.

Constitution, Section 52.—Probationers shall be required before licensure to produce satisfactory evidence of having received at least a good English education; and, in order to make trial of their talents, the Presbytery shall require a written discourse on some common head of divinity, from time to time, until it shall be satisfied as to their piety and aptness to teach; and they may also be required to present

a recommendation from the church session of the particular church of which they are members. They shall also be required to exercise their gifts in public exhortation and shall be carefully examined on revealed theology before they are licensed.

(b) Licensing Candidates.

Constitution, Section 53.—Before the Presbytery proceeds to license the candidate, a minister appointed to preside shall propose to him the following questions:

1. Do you believe the Scriptures of the Old and the New Testament to be the Word of God, the only infallible rule of faith and practice?

2. Do you sincerely receive and adopt the Confession of Faith and the Catechism of the Cumberland Presbyterian Church as containing the system of doctrines taught in the Holy Scriptures?

3. Do you promise to study the peace, unity, and purity of the Church?

4. Do you promise to submit yourself, in the Lord, to this Presbytery, or to any other Presbytery of this Church, under the care of which you may be?

The candidate having answered the questions in the affirmative, the presiding minister, having offered a prayer suitable to the occasion, shall address the candidate to the following purport: In the name of the Lord Jesus Christ and by the authority which he has given to his Church for its edification, we do license you to preach the gospel, as a probationer, in the bounds of this Presbytery, or wherever God, in his providence, may cast your lot; and for this purpose may the blessing of God rest upon you and the spirit of Christ fill your heart. Amen.

Proper record of the licensure shall be made.

(c) A candidate without a letter.

Is it legal, if a candidate for the ministry under the care of a Presbytery has moved within the bounds of another Presbytery, without a letter of dismissal, for this Presbytery to receive said candidate under its care, as a candidate for the ministry, and license him, without first correspond-

ing with the Presbytery from which he came? Answer: It is not. Adopted.—1871, p. 29.

(d) A candidate or licentiate responsible to the session for his conduct.

“Before what tribunal shall a candidate or licentiate be tried for immoral conduct?”

We answer that his probation as a candidate or licentiate may, for any cause, be discontinued by the Presbytery; but he should be tried for immoral conduct by the session of that congregation of which he is a member. Adopted.—1866, p. 50.

(e) When a licentiate is dropped from the roll of the Presbytery, he is no longer a licentiate; therefore no Presbytery has a right to receive him as such. Adopted.—1917, p. 136.

(f) Name of probationer may be dropped without assigning any reason for the action.

Constitution, Section 54.—When the services of a probationer do not appear to be edifying to the church, or when the Presbytery may, for any other reason, deem it advisable to do so, it may recall his license or drop his name from the list of probationers without assigning the reason therefor; and it shall be its duty to do so whenever the probationer shall, without necessity, devote himself to such pursuits as interfere with a full trial of his gifts and a proper preparation for the work of the ministry.

(g) May licentiates perform the marriage ceremony?

Whereas, the Illinois Presbytery has presented a request for the opinion of this General Assembly, relative to the authority of licentiates to solemnize the rite of matrimony; therefore be it

Resolved: That this house is of the opinion that it is the privilege of the several Presbyteries to act in the matter, agreeably to the laws of their respective States. Adopted.—1830, pp. 28, 29, Mss.

Resolved: That licensed preachers of the Cumberland Presbyterian Church possess every requisite qualification to perform the rite of matrimony, except where provision is made to the contrary in the laws of the States. Adopted.—1862, p. 62.

The Foster Presbytery submits the following question:

“Have licensed probationers for the gospel ministry, in the Cumberland Presbyterian Church, the authority to solemnize the holy rite of matrimony?”

Your committee answer this question as follows:

The only provision on this subject contained in our book of Church Government is as follows: “Marriage is not a sacrament or peculiar to the Church of Christ.” It is proper that every commonwealth, for the good of society, make laws to regulate the marriage relation, which all citizens are bound to obey. Therefore, unless the statutes of the State in which the marriage is to take place shall authorize licensed probationers to solemnize the marriage relation, then said probationers in the Cumberland Presbyterian Church shall not have such authority. But where such authority is conferred by the statutes of the State, then they may solemnize the rite of matrimony. Adopted.—1887, p. 38.

(h) May a probationer serve as a ruling elder?

Resolved: That candidates for the ministry be not admitted, in the future, to seats in Presbyteries or Synods, as representatives from churches.—From Minutes of Cumberland Synod, October, 1824.

The following appears as the action of the Synod on the reports made from the Presbyteries:

Whereas, A resolution of a former Synod was sent by the last Synod to the different Presbyteries for their concurrence, which has now been obtained from more than two-thirds of the Presbyteries, it therefore becomes a law, the substance of which is: “That no licentiate or candidate for the ministry should have a seat in Presbytery or Synod, but that he may exercise that office in church sessions.”—From Minutes of Cumberland Synod, October, 1828.

The Committee on Judiciary beg leave to report that they have duly considered the resolution offered by Rev. J. R. Lowrance and referred to them and respectfully submit that a ruling elder, by becoming a candidate for the ministry, does not cease to be a ruling elder in his congregation, but they deem it expedient for a ruling elder, on becoming a candidate for the ministry, to resign his office of ruling elder.—1872, p. 33; 1888, p. 35.

A candidate for the ministry or a licentiate, who is also a ruling elder, may, in the opinion of your committee, properly be elected to represent his congregation in Presbytery. Adopted.—1895, p. 42; 1919, p. 109.

(i) Transfer of a licentiate without a letter does not vitiate his ordination.

Although the transfer of a licensed preacher from one Presbytery to another without a letter of dismissal and recommendation is irregular, yet a man ordained under such circumstances is truly an ordained minister, and as such is competent to the discharge of all the duties of his office. Approved.—1867, p. 83.

(j) What Presbytery may restore a license?

The Assembly gave a negative answer to the following question:

When any Presbytery, for reasons satisfactory to itself, shall withdraw the license of any probationer, he, at the time of such act, holding himself amenable to, and claiming that his right to preach is from, the authority of said Presbytery, can any other Presbytery restore to him his license? Answer, No.—1860, p. 74.

(k) Board of Education not to extend aid to probationers who use tobacco.

Resolved: That the Board of Education is hereby instructed to give no aid to any candidate for the ministry, in securing education, who uses tobacco, and that it is the duty of the Board of Education to know, before aiding any student, that he does not use tobacco. Adopted.—1889, p. 51.

(l) Marriage of probationers before their education is completed to be discouraged by the Presbyteries.

Some reasonable regulation, intelligently and kindly, but firmly enforced, seems to be needed. In isolated cases the marriage of a probationer may seem not to have interfered with his education, but as a rule there can be no question as to its effect. If a Presbytery has the right to supervise a probationer's course in such matters, certainly experience is abundant to call for the vigorous exercise of Presbyterial authority.—1897, p. 89; 1897, p. 35.

(m) Presbytery may license lay preachers.

The Assembly adopted the following:

“Has a Presbytery the right to license exhorters (or lay preachers) to exercise their gift in public, who ask for Presbyterial authority to do so?”

Your committee is of opinion that Presbytery has the right to authorize laymen to hold such public services; in other words, to grant to laymen the license implied in the Constitution, and in this sense has a right to license “exhorters” or “lay preachers,” and they recommend that this General Assembly make a deliverance in accordance herewith.—1892, p. 25

That you instruct the Presbytery to make a clear distinction between licensure and ordination; that some may with propriety be licensed to preach as evangelists, who should never be ordained to the full functions of ordained ministers in the Church. Adopted.—1897, p. 36.

We most respectfully recommend that you request the Synods to urge the Presbyteries earnestly to consider the advisability of simply licensing to preach, as lay workers, those who fall far short of our standard, and whose age and circumstances are such as to render it practically impossible for them ever to come up to the requirements, at the same time considering all the surroundings and treating with due courtesy all concerned. Adopted.—1898, p. 92.

### **(3) Presbytery Has the Power to Ordain Probationers to the Whole Work of the Ministry.**

Constitution, Section 55.—As ordination, or setting apart to the whole work of the ministry, is investing the probationer with the highest ecclesiastical office, the Presbyteries are required to be careful to ordain no one until fully satisfied with his qualifications for so important a work.

Presbyteries shall not feel bound to ordain a licentiate because he has long been licensed, nor to continue him on probation longer than he promises usefulness.

(a) Trials for ordination.—Course of study.

Constitution, Section 56.—When a licentiate shall have preached to the satisfaction of the Presbytery, then it may

take steps for his ordination, observing the principles of, and (acting) agreeably to, the following rules:

Trials for ordination shall consist of a careful and satisfactory examination of the licentiate, before the Presbytery, or a committee thereof, upon experimental religion, his internal call to the ministry, his knowledge of geography, English grammar, philosophy, astronomy, ecclesiastical history, the Holy Scriptures, natural and revealed theology, and the government of the Cumberland Presbyterian Church.

In addition to these branches of literature, which are indispensable, it is earnestly recommended that the Presbyteries use their best exertions to promote and encourage among their probationers the acquiring of a complete knowledge of the original languages, especially the Greek and the Hebrew, the utility of which, to a minister of the Word, is hereby unequivocally declared.

In order to make trial of his talents to explain, vindicate, and practically enforce the doctrines of the gospel, the Presbytery shall require of the licentiate, before ordination, such written or extempore discourse founded on the Word of God as the Presbytery shall deem proper.

We recommend that you urge upon your Presbyteries the necessity of withholding ordination from our young men while pursuing their course in the Theological School, and that all the candidates and licentiates be urged to take a theological course before entering upon the full work of the ministry. Adopted.—1895, p. 40.

The following was adopted:

Whereas, the Constitution of our Church (section 56) prescribes the standard of literary attainment to be reached by licentiates preparatory to ordination, and emphatically states that a knowledge of the branches of literature therein enumerated is indispensable to ordination; and whereas, it is the habit of many of our Presbyteries to disregard often this requirement of the Constitution, and, by laying hands on men who have not reached the standard required, to thrust into the ranks of the ministry incompetent men; therefore be it

Resolved: That we recommend to this General Assembly that it instruct the Synods under its jurisdiction to make



more careful observation of the work of Presbyteries touching this matter, and where Presbyteries are found acting in violation of this law of the Church to administer to them a severe reprimand, and, if this fails to correct the evil, to proceed to dissolve said Presbytery and distribute their ministers and churches among other Presbyteries, according to the wisdom of the Synod so acting.—1892, p. 37.

(b) The Assembly should inquire into ordinations.

Constitution, Section 43.—The General Assembly shall have power to take care that the inferior courts observe the Government of the Church.

We rejoice because of the growing tendency among our people to recognize the necessity of greater preparation, and that we are showing a greater interest in the schools of our Church. While we as a committee are not to deal directly with the subject of education, in a general way, yet we feel that the importance of the subject is such that we desire to emphasize the fact that our ministers need and should have all the education called for in our Confession of Faith, which is described as “A good English education.” This surely means that our ministers should attain to at least a full high school course of four years, which we believe to be indispensable; to this should be added all information obtainable until they have acquired a “complete knowledge of the original languages, especially the Greek and Hebrew, the utility of which, to a minister of the Word, is hereby unequivocally declared.”

Therefore we make the plain statement that all students entering our theological schools for the Classical or English course must have completed at least the equivalent of a four-years' high school course. However, we do not wish to hinder any minister from securing all possible advantages toward an education, and believe that any student of mature years who is advanced sufficiently to understand the special course desired shall be permitted to take such special course as the faculty may decide proper for him. Any man who has been ordained by his Presbytery to preach the Word will be better prepared to teach our doctrines after a special course than he will be without instruction.—1916, p. 108.

We therefore recommend: That it be enjoined on all the Presbyteries to abstain from licensing men whose education is not fully up to the standard of our book.—1866, pp. 83, 84.

Whereas, the Constitution of our Church (Sec. 56) prescribes the standard of literary attainment to be reached by licentiates preparatory to ordination, and emphatically states that a knowledge of the branches of literature therein enumerated is indispensable to ordination; and whereas, it is the habit of many of our Presbyteries to disregard often this requirement of the Constitution, and, by laying hands on men who have not reached the standard required, to thrust into the ranks of the ministry incompetent men; therefore be it

Resolved: That we recommend to the General Assembly that it instruct the Synods under its jurisdiction to make more careful observation of the work of the Presbyteries touching this matter, and where Presbyteries are found acting in violation of this law of the Church to administer to them a severe reprimand, and, if this fails to correct the evil, to proceed to dissolve said Presbyteries and distribute their ministers and churches among other Presbyteries, according to the wisdom of the Synod so acting.—1897, p. 36.

(c) Ordination by a commission.

General Regulations, Section 15.—The commission for the ordination of a minister shall always consist of a quorum of the court, but the Presbytery itself shall conduct the previous examinations.

(d) Ordination service.

Constitution, Section 57.—The Presbytery, being fully satisfied with the qualifications of the licentiate, shall fix a day and make suitable preparation for his ordination

At the time appointed, the Presbytery being convened, a sermon adapted to the occasion shall be preached by a minister previously appointed. The same, or some other minister appointed to preside, shall then briefly recite from the pulpit the preparatory proceedings of the Presbytery and point out the nature and importance of the transaction. Then, addressing himself to the licentiate, he shall propound the following questions:

I. Do you believe the Scriptures of the Old and New Testament to be the Word of God, the only infallible rule of faith and practice?

II. Do you sincerely receive and adopt the Confession of Faith and the Catechism of the Cumberland Presbyterian Church as containing the system of doctrines taught in the Holy Scriptures?

III. Do you approve the government of the Cumberland Presbyterian Church?

IV. Do you promise subjection to your brethren in the Lord?

V. Have you been induced by the Holy Spirit, as far as you know your own heart, to seek the office of the holy ministry from love to God, a desire to do his will, to promote his glory in the gospel of his Son, and the salvation of your fellow-men?

VI. Do you promise to be zealous and faithful, as God may enable you, in maintaining the truths of the gospel and the purity and peace of the Church, whatever persecution or opposition may arise unto you on that account?

VII. Do you engage to be faithful and diligent in the exercise of all your duties as a Christian and as a minister of the gospel, whether personal or relative, private or public; and to endeavor, by the grace of God, to adorn the profession of the gospel ministry in your conversation, and to walk with exemplary piety before the Church and before the world?

The licentiate having answered these questions in the affirmative, the presiding minister shall require him to kneel; then the ministers of this Church present shall, by prayer led by the presiding minister, and with the laying on of hands, according to the apostolic example, solemnly ordain him to the holy office of the gospel ministry. Prayer being ended, he shall rise, and the presiding minister shall first, and afterwards the other ministers shall each, take him by the right hand, saying in words to this purpose: We give you the right hand of fellowship to take part in this ministry with us. After which the minister presiding, or some other

appointed for the purpose, shall then, by prayer, recommend him to the grace of God and to his holy keeping.

The transaction shall be duly recorded in the presbyterial minutes.

(e) Prayer and charge, in ordination, must not be omitted.

If the Presbytery (Sangamon) did fail to deliver the charge and prayer, prescribed in the book of discipline—Form of Government, chapter 15, Section 6—then there was an irregularity, and in that event the appeal should be sustained. But if the charge was delivered and the prayer offered, and the fact merely not recorded, then it would be only an omission or error in the record. Adopted.—1864, p. 138.

(f) Ordination on the Sabbath day.

Is it a violation of the spirit of Presbyterianism for a Presbytery to ordain a probationer to the work of the ministry on the Sabbath? This question was “answered by the Assembly in the negative.”—1872, p. 29.

The Committee on Judiciary beg leave to report that they have duly considered the questions referred to them on the recommendation of the Committee on the Minutes of Sangamon Synod—namely: “May a Presbytery ordain a minister on the Sabbath day?” This question we answer in the affirmative. It was so decided in 1872.—1877, p. 20.

#### **(4) Presbytery Has the Power to Decide Appeals and Complaints.**

Constitution, Section 31.—The Presbytery has the power to examine and decide appeals, complaints, and references brought before it in an orderly manner.

#### **(5) Presbytery Has the Power to Judge Ministers.**

Constitution, Section 31.—The Presbytery has power to judge ministers.

Rules of Discipline, Sections 7-13.—Original jurisdiction in relation to ministers pertains exclusively to the Presbytery, and in relation to other church members to the church session.

It is the duty of church sessions and Presbyteries to exercise care over those subject to their authority, and with due diligence demand satisfactory explanations from them concerning reports affecting their Christian character, especially when those aggrieved by injurious reports shall ask an investigation. If such investigation, however originating, should result in raising a strong presumption of guilt, the court should order process, and appoint a prosecutor to prepare the charges and conduct the case.

8. An injured party shall not become a prosecutor of personal offenses without having previously tried the means of reconciliation and of reclaiming the offender, required by Christ, Matthew xviii. 15, 16. A Church court, however, may judicially investigate personal offenses as if general, when the interests of religion seem to demand it. So, also, those to whom private offenses are known cannot become prosecutors without having previously endeavored to remove the scandal by private means.

9. When the offense is general, the prosecution may be conducted by any person appearing as prosecutor, or by some one appointed as such by the court.

10. When the prosecution is instituted by the court, the previous steps required in cases of personal offenses are not necessary, but in all cases a committee should first converse in a private manner with the offender and endeavor to bring him to a sense of his guilt.

11. Great caution must be exercised in receiving accusations from any person known to indulge a malignant spirit toward the accused, or who is not of good character; who is himself under censure or process; who is deeply interested in any respect in the conviction of the accused; or who is known to be litigious, rash, or highly imprudent.

12. Every voluntary prosecutor must be previously warned that if he fails to show probable cause for the charges, he must himself be censured as a slanderer of the brethren. None but members of the Church shall be allowed to become prosecutors.

13. When a member of a Church court is under process,

all his official functions may be suspended at its discretion, but not in the way of censure.

(a) Power to censure a minister belongs to Presbytery.

We (Oregon Presbytery) ask you to declare, judicially, that a Synod has no constitutional right to take the case of a member under censure out of the hands of the Presbytery that passed the censure; especially while the member under censure resides in the bounds of the Presbytery that censured him.

The Assembly answered: "The Synod has no such power."  
—1863, p. 77.

(b) Power to remove a suspension.

Resolved: That the act of the Memphis Presbytery in receiving, and thereby conferring upon John A. Dewoody all the privileges of a minister of the gospel, whilst he was under suspension by the decision of the Tennessee Presbytery, is not in accordance with the discipline and government of the Cumberland Presbyterian Church; and therefore said act is hereby declared null and void. Adopted.—1855, p. 49.

Resolved: That it is the sense of this General Assembly, as expressed substantially by the Assembly two years ago (1855, p. 49), that it is highly improper, disorderly, and subversive of the government of our Church for any Presbytery to receive as a member or recognize any man as an orderly minister of the Cumberland Presbyterian Church against whom a sentence of suspension or deposition has been pronounced, until said sentence has been legally revoked or withdrawn. Adopted.—1857, p. 61.

(c) Presbytery has power to rescind its act.

Resolved: 1. That the Memphis Presbytery did act unconstitutionally in declaring J. A. Dewoody a member of said Presbytery, and restored to the ministry, while he stood deposed by the Tennessee Presbytery.

2. That it is constitutional and proper for Memphis Presbytery to rescind her act, in obedience to the request of West Tennessee Synod, purporting to restore J. A. Dewoody.  
—1858, pp. 18-20.

We (Oregon Presbytery) ask you to declare that it is the

constitutional right of the Presbytery that censures a member to remove said censure; and that it cannot be done by any other body, and especially while the censured person resides out of their bounds.

The Assembly answered: "Such right is vested alone in the Presbytery passing the censure."—1863, p. 77.

#### (6) Presbytery Has the Power to Decide Questions of Doctrine.

Constitution, Section 31.—The Presbytery has power to resolve questions of doctrine and discipline seriously and reasonably proposed.

If the two brethren teach the errors so in conflict with the doctrines of our Church, the Presbytery is competent to reprove or censure, and to exercise its constitutional jurisdiction; no authority to take judicial action belongs to the General Assembly, except in case of appeal, coming regularly from the lower courts. Adopted.—1861, p. 17.

#### (7) Presbytery Has the Power Over Ministers.

Constitution, Section 31.—The Presbytery has the power to require ministers to devote themselves to their sacred calling.

The General Assembly urged upon the various Presbyteries the importance and propriety of directing their preachers.—1882, p. 17.

By a resolution of this General Assembly, the Judiciary Committee is directed to "inquire and report whether, under the law, a Presbytery has any mode of relieving itself of idle preachers, without going through a regular trial on charges, and if so, what is the mode?" In response to this inquiry, the Committee report that ministers are subject to the direction and control of their Presbyteries, and that when they fail to perform their ordination duties they are liable to be dealt with by that judicatory as their demerits may require, by censure, reprimand, or even deposition. If a minister fails persistently to work in the sacred cause to which he has been set apart, he should be dealt with by the Presbytery in such manner as that body in their wisdom

may consider best calculated to bring him to a sense of his duty. If he should fail to hear them and continue in the neglect of duty and disregard the admonition of the Presbytery, the proper charges, trial, and penalty should follow. Adopted.—1878, p. 31. R. of D., Art. 43.

Resolved: That the Presbyteries be required to call each minister in charge of a congregation to account for non-compliance with the resolutions and edicts of the Assembly. Adopted.—1879, p. 35.

Resolved: That the Presbyteries under the care of this General Assembly be and are hereby instructed to require ministers under their care diligently to perform the duties pertaining to their sacred calling. Adopted.—1894, p. 50.

Presbytery has the authority to say to the unemployed preacher: "You must no longer be idle, but go and feed that starving congregation within your reach." And if he fails to obey and persists in his idleness, the Presbytery should unhesitatingly drop his name from its roll, as one whom God has not called to preach the gospel. Adopted.—1895, p. 54.

### (8) Presbytery Has the Power Over Churches.

Constitution, Section 31.—The Presbytery has the power to review the records of the church sessions, redress whatever they may have done contrary to order, and take effectual care that they observe the government of the Church.

Constitution, Section 31.—The Presbytery has the power to see that the injunctions of the higher courts are obeyed.

Constitution, Section 31.—The Presbytery has the power, for cause, to dissolve the relations between it and a particular church, which shall thereafter cease to be a constituent of the Cumberland Presbyterian Church, and forfeits all rights as such.

The Presbytery has the right to cut off any congregation under its control and deprive it of presbyterial representation, whenever such congregation has been guilty of such offense as, in the judgment of the Presbytery, may justify such action. Adopted.—1869, p. 34.

Constitution, Section 31.—The Presbytery has the power



to visit particular churches, to inquire into their condition, and redress the evils that may have arisen in them.

The Presbytery has power to send committees to confer with sessions, where difficulties exist, and to settle them, if practicable; if, however, such difficulties cannot be removed, Presbytery may dissolve such sessions and divide the congregations, attaching them to the most convenient congregations, the sessions of which may deal with such offending members. Adopted.—1842, p. 31. MSS.

### **(9) Presbytery Has the Power to Order Whatever Pertains to the Welfare of Its Churches.**

Constitution, Section 31.—The Presbytery has the power, in general, to order whatever pertains to the spiritual welfare of the churches under its care.

The General Assembly urged upon the Presbyteries the importance of ordering whatever pertains to the welfare of their churches.—1882, p. 17.

### **(10) Presbytery Has Control of the Relation between Ministers and Churches.**

Constitution, Section 31.—Presbytery has the power to take special oversight of vacant churches.

Constitution, Section 58.—No minister shall take charge of a church as its pastor, or otherwise, without the consent of the Presbytery in the bounds of which the church is located, or subject to the approval of the Presbytery at its next stated meeting; and when such consent is obtained, the parties shall fulfill mutual engagements with fidelity.

Constitution, Section 31.—Presbytery has the power to establish the pastoral relation, and to dissolve it.

Resolved by this General Assembly: That no minister has the constitutional right to take charge of any congregation, as its stated supply, without the consent of his Presbytery, and of the Presbytery in the bounds of which the said congregation is located. Adopted.—1851, p. 14.

(a) Origin of Pastorates and Supplies Committee.

From the foregoing it is clear that the law of the Church, both constitutional and statutory, makes it the duty of, and gives the power to, the Presbytery to control its ministers and churches. We therefore recommend:

(1) That it shall be the duty of every Presbytery, acting under the authority of the law of the Church, to appoint a Permanent Committee on Pastorates and Supplies.

(2) That sessions of vacant churches, in all cases, consult the Committee on Pastorates and Supplies, before entering into an engagement with a minister as pastor, or otherwise, and that the consent of the Committee be obtained before such engagement be made.

(3) That no minister shall take charge of a church as its pastor, or otherwise, without the consent of the Presbytery, or the approval of the Committee on Pastorates and Supplies, subject to the subsequent action of Presbytery.

(4) That no minister shall take charge of a church in the bounds of another Presbytery, as its pastor, or otherwise, without first obtaining the consent of the Presbytery to which the church belongs, or, if between the meetings of the Presbytery, without first obtaining the consent of the Presbytery's Committee on Pastorates and Supplies. In case, however, that said Committee and the session should disagree, it shall be the duty of the session to supply its pulpit until the next stated meeting of the Presbytery, or a meeting called for that purpose, when the Committee and the session shall submit the whole matter to the Presbytery and then abide by its decision.

(5) It shall be the duty of the Committee on Pastorates and Supplies, when it learns that a church is vacant, to call the attention of such church to this action of the General Assembly, and to co-operate with the session in securing a minister, and when there has been a failure upon the part of either session or minister to comply with this deliverance of the General Assembly, the Committee shall report the same to the Presbytery. And, in case a church should disregard this order and employ a minister from another Pres-

bytery, this Committee shall notify such minister of the action of the General Assembly, and should such minister refuse to respect the authority of the Committee, it shall be the duty of said Committee to report him to his Presbytery, also to report all the facts to their own Presbytery.

(6) It shall be the duty of the Stated Clerk of every Presbytery to send, officially, a copy of this deliverance to every minister and session of the Presbytery, and sessions should be instructed to have this deliverance read in regular session meeting and spread upon their records.—1897, pp. 40-42.

(b) Committee on Pastorates and Supplies.

The following report was concurred in:

Your Committee to whom were referred certain resolutions as to pastorates, supplies, etc., beg leave to submit the following resolutions:

Resolved: That the Presbyteries under the care of this General Assembly be, and are hereby, instructed:

1. To require ministers under their care diligently to perform the duties pertaining to their sacred calling.

2. To require as far as possible the installation of pastors in the churches under their care.

3. To require all their churches which have no regular pastors to consult the Presbytery, or a regularly constituted committee thereof, before entering into an engagement with a minister.

4. To appoint ministers to supply such churches as do not have regular pastors, or do not make request for the ratification of some arrangement for supplies, at the regular annual meeting of Presbytery.

5. To appoint a permanent Committee on Pastorates and Supplies, to whom all matters pertaining to the relation between ministers and churches, which require adjustment in the interim of the meetings of Presbytery, shall be referred.

6. To see that, as far as possible, every church has a minister, and every minister has a church.

7. To require all ministers devoting themselves to evangelistic work to do so by authority of and under the direction of the Presbytery.—1894, p. 50.

(c) Names of chairmen published.

A memorial from Sacramento Presbytery urges that the Assembly require the Stated Clerk to "insert in the blanks sent to clerks of Presbyteries a place for the names of chairmen of Committees on Pastorates and Supplies," and that the names be inserted. Further, that ministers seeking places direct their correspondence to the congregations through these committees. As to the first point, your Committee recommend its adoption; and as to the second point, we recommend it, as far as practicable. Adopted.—1896, p. 49.

In view of the fact that the Presbytery's Committee on Pastorates and Supplies is virtually a commission representing the Presbytery when not in session, we recommend that Presbyteries should exercise the greatest care in selecting safe and wise men to act upon this very important Committee. Adopted.—1898, p. 52.

(d) Grouping Churches.

The General Assembly adopted the following:

It is the duty of the church session "to concert the best measures for promoting the spiritual interests of the Church." (Constitution, Section 27.) "In the exercise of its power to procure a minister to take charge of a church as pastor, or otherwise, the church session should in all cases endeavor to ascertain the will of the church and procure such minister as will best subserve the interests of that particular church." (General Regulations, Section 4.)

It is the duty of the Presbytery "to concert measures for the enlargement of the Church within its bounds," and "to order whatever pertains to the spiritual welfare of the churches under its care" (Constitution, Section 31). It is also the duty of the Presbytery "to take special oversight of vacant churches." (Constitution, Section 31.) "No minister shall take charge of a church as its pastor, or otherwise, without the consent of the Presbytery in the bounds of which the church is located, or subject to the approval of the Presbytery at its next stated meeting." (Constitution, Section 58.)

In view of the foregoing facts we recommend the following:

(1) That you instruct your Presbyteries to group such of their churches as are not able to employ a minister for all his time, to the best advantage for supplying them with regular preaching and pastoral oversight.

(2) That you instruct your Presbyteries to require churches grouped together to employ the same minister.

(3) That every Presbytery, in its care of a group of churches, shall enforce the same rule in reference to its Committee on Pastorates and Supplies, as with a single church employing a minister for all his time.

(4) That each one of your Presbyteries instruct the sessions of respective groups to meet jointly, if necessary, in selecting a minister to serve them as pastor or stated supply.

(5) That you instruct each of your Presbyteries to require all the sessions and churches of a given group to be governed, in their selection of a minister, by a majority of the sessions of the churches composing the group, should there not be entire unanimity, unless the Presbytery should see good reason for ordering otherwise.—1897, pp. 42, 43.

(e) Sustaining Taxes must be Equable.

Complaint of L. B. McCaslin and E. A. Milligan, of the Morrilton Presbytery, Synod of Arkansas. While the deliverances of our former Assemblies are very clear that the Constitution of our Church gives a Presbytery the right to levy taxes sufficient for its work, yet we respectfully submit that the above named complaint is well taken, and in our opinion a Presbytery has not the right to levy a tax unequally upon its members, but that to be legal such tax shall be levied alike upon all members of such Presbytery and not upon ministers only. See Cumberland Digest, page 165.—1915, p. 109.

(f) A Licentiate Sitting as a Representative.

Appeal from the Talladega Presbytery, Alabama Synod, for a deliverance upon the question as to the right of a Presbytery to pass an order that no elder who is a candidate or licentiate in said Presbytery should be allowed a seat in that Presbytery.

Your committee is of the opinion that, while a Presbytery is a competent Church court, yet a congregation or local church, upon recommendation of its session, has the right to elect any member to the office of ruling elder and as such officer, even though a probationer, he is entitled to election to and a seat as a member of Presbytery to which such church belongs. We refer you to Cumberland Digest, page 121.—1915, p. 109.

(Note.—However, it is earnestly urged in many deliverances of the Assembly that when an elder becomes a candidate for the ministry he should give up his sessional office.—A. C. B.)

### **(11) Presbytery Has the Power to Unite or Divide Churches.**

Constitution, Section 31.—The Presbytery has the power to unite or divide churches, with the consent of a majority of the members thereof.

A Presbytery has the right to dissolve a congregation, with the consent of its members, and attach them to other congregations. Adopted.—1869, p. 34.

### **(12) Presbytery Cannot Examine Ordained Ministers Coming by Letter.**

The Committee on Judiciary respectfully report that they have considered the protest and answer from the Synod of Texas, on the following facts—to wit: Buffalo Gap Presbytery amended its by-laws so as to require “all ordained ministers applying for membership in said Presbytery to submit to an examination on literature and theology previous to admission.”

This amendment, having been brought to the notice of Synod through its Committee on Presbyterian Minutes, was declared “unwarranted by the Constitution of our Church.”

The record seems to raise two questions: First, could Synod take jurisdiction of the case in the manner it did? and, secondly, was the action of Synod right and proper in declaring said amended by-law unconstitutional?

We are of opinion that the action of said Synod in the

premises was right, and recommend that it be sustained. Adopted.—1892, pp. 25, 26.

**(13) Presbytery May Allow an Elder Who Has not Been Elected to Represent His Session.**

The law of our Church requires the appointment or election of delegates to Presbytery, but the Committee do not now undertake to declare that there may not be exceptional instances that would make it proper for the Presbytery to accept other evidence of the right of an elder to represent his congregation. Adopted—1895, p. 42.

**(14) A Representative Cannot Be Seated before His Church Is Received.**

The Iowa Synod held that the Des Moines Presbytery had acted with "irregularity in receiving an elder as a representative, and electing him as clerk of Des Moines Presbytery before his congregation was taken under the care of Presbytery." On appeal to the Assembly, the Synod was sustained.—1860, p. 72.

**(15) Presbyteries May Elect Ruling Elders, Who Are not Members of Their Bodies, to Positions.**

(a) As commissioners to the General Assembly.

The General Assembly held that ruling elders who are not members of the Presbyteries electing them may be chosen as commissioners, provided they indicate their willingness to serve.—1829, p. 9, MSS.

The following question was propounded to the General Assembly: Are elders who are not members of Presbytery eligible to be elected commissioners to the General Assembly?

The Assembly answered this question in the affirmative, for the reason that the book gives express authority to Presbyteries to appoint elders commissioners to the General Assembly without reference to the question whether such elders are members of Presbyteries or not.—1875, p. 24.

(b) As committeemen to attend to Presbyterial business.

The Assembly held that Presbyteries, in some cases, may

select ruling elders who are not members of these bodies "to do Presbyterial business," and that in other cases they should not.—1873, p. 30.

In the matter of the memorial from Bell Presbytery the Committee find this question:

"Are ruling elders who are not members of Presbytery, competent to be made members of standing committees?"

The Committee have not reached a conclusion on this question without hesitation and difficulty. We believe a literal interpretation of the law would lead to an answer in the negative. But we believe, further, that it is a safe rule by which we may be governed, to give such construction of the law as will enable Church judicatories to promote the interest of the Church most effectively. If we deny the right of Presbyteries to appoint elders to important duties, simply because they are not, for the time being, members of Presbytery, we thereby greatly curtail the power of the Presbyteries in employing talented and useful men in the work of the Church.

We therefore reach the conclusion, that a liberal construction of the law in the case will give the Presbyteries enlarged means of usefulness, and that no injury can possibly result. We therefore answer the question in the affirmative.—1875, p. 24.

[Note.—Certainly the Committee did not mean the non-members could act on a "Standing" Committee, for a "Standing Committee is one of the working appointments of the body and must be made up of eligible members. I see no conflicting reason, however, why they may not serve on special committees.—A. C. B..]

### III. THE SYNOD.

#### 1. The Constituents of Synod.

Constitution, Section 35.—The Synod consists of all the ministers, and one ruling elder from each church, in a district comprising at least three Presbyteries. The Synod may be composed, at its own option, with the consent of a



majority of its Presbyteries, either of all the ministers, and one ruling elder from each church in its district, or of equal delegations of ministers and ruling elders selected by the Presbyteries on a basis and in a ratio determined in like manner by the Synod and its Presbyteries.

## 2. A Quorum of Synod.

Constitution, Section 36.—Five ministers, who are members of one or more of the Presbyteries composing the Synod, shall constitute a quorum for the transaction of Synodical business, provided there be present at least one minister or one ruling elder from each of the three Presbyteries. Members of the different Presbyteries in Synod shall not be entitled to vote on questions of appeal before the Synod from their own Presbytery, nor on other questions immediately concerning their own Presbyterial action.

## 3. Synods are Created by Authority of the Assembly.

Constitution, Section 43.—The General Assembly has the power to create, divide or dissolve Synods.

Whereas, The mind of this Assembly is solicited, relative to the period in which a Synod receives its being,

Resolved, That it is the opinion of this House that a Synod exists as soon as it is ordered.—1833, pp. 134, 135, MSS.

## 4. Synodical Boundaries are Determined by the Assembly.

As to the boundaries between Synods, the Committee say that this Assembly is the proper tribunal to settle such controversies. Adopted.—1860, p. 74.

## 5. But in Change of Boundaries, Interested Synods May Speak.

We have considered the memorial from Arkansas Synod with reference to the change of boundary lines between said Synod and the Synod of Texas. We find the Arkansas Synod proposes certain changes in the boundary lines; and that the Texas Synod has agreed to only a portion of the

proposed changes. We think that the Arkansas Synod should have the privilege of considering the matter again, before the General Assembly takes action. We therefore recommend that the matter be referred to the Arkansas Synod for further action. Adopted.—1892, p. 33.

We have considered the memorials referred to us in relation to the action of the Synod of Illinois in changing the lines of certain of the Presbyteries within its bounds, one from Vandalia Presbytery complaining of the action, and one from Decatur Presbytery asking that said action be sustained.

We deem it improper for the General Assembly to act upon the merits of questions presented by complaint or memorial in relation to the action of Synods, without giving the Synod of whose action complaint is made an opportunity to be heard. Unless a *prima facie* case is made out by the complaint or memorial, it should be dismissed.

In this matter we see no sufficient reason why the deliberate action of the Synod, of which complaint is made, should be disturbed, and therefore recommend that the memorial from Vandalia Presbytery be dismissed. Adopted.—1891, p. 17.

### **6. Members of Synod Should Attend.**

No excuse for non-attendance of members shall be deemed good, unless it be embraced by what is called a providential hindrance.—From Minutes of Cumberland Synod, 1815.

To reach delinquent members of Synod, your Committee recommend that the several Synods under your care require each Presbytery to hold its members amenable for non-attendance at Synod. The reasons rendered shall be spread on the minutes of Presbytery; but no reasons shall be sustained unless they show that the hindering causes were providential. Adopted.—1851, p. 23.

Presbyteries have the right to call on all delinquent members and deal with them.—1841, p. 710, MSS.

Whereas, The Middle Tennessee Synod has said that the principle authorizing Presbyteries to call on the church

Sessions to render an excuse for failing to send up representatives, is not secured to Presbyteries, therefore,

Resolved, That in the opinion of this General Assembly our Book of Discipline secures that right to the Presbyteries. Adopted.—1841, pp. 608; 609, MSS.

## 7. Meetings of Synod.

### (1) On Its Own Adjournment.

Constitution, Section 39.—The Synod shall meet as often as once in two years, on its own adjournment.

### (2) Provision for Failure to Meet on Its Own Adjournment.

Constitution, Section 39.—If, for any cause, the Synod shall fail to meet at the time and place to which it stands adjourned, it shall be the duty of the Moderator, or, in case of his absence, death, or inability to act, the Stated Clerk, or, in case of his absence, death, or inability to act, any three ministers entitled to membership in the Synod, and belonging to different Presbyteries, to call a meeting as early as practicable, at such place as may be designated, for the transaction of the regular business; and for this purpose a circular letter shall be sent to every minister and ruling elder entitled to membership, or constituent body entitled to representation therein, not less than thirty days before the meeting.

### (3) May a Synod Hold a Called Meeting?

General Regulations, Section 8.—Called meetings of Church courts above the Church Session shall be composed of the same members, or their alternates, constituting the preceding stated meeting of the same court, unless the constituent body shall designate some one else as a representative to such called meeting.

We [the Judiciary Committee] find referred to us a question involving the constitutionality of the action of Union Synod, at a called meeting of said Synod, held in July, 1856; in regard to which our Committee believe that, in taking a proper view of the spirit and design of the Discipline, as ex-

pressed in our Form of Government, Chapter X., Section 3, said action was constitutional and orderly, and, on the same authority, the Committee believe the proceedings of said Synod, at an adjourned meeting, in December of the same year, to have been legal. Adopted.—1857, p. 61.

It appearing to the Committee [on Overtures] that all the elements of a Synod still exist, notwithstanding its failure to meet according to adjournment, we, therefore, recommend that the last Moderator of the Synod [Ozark] be directed to call a meeting of the Synod at such time and place as he shall deem suitable, according to the principles laid down in the Form of Government for the calling of extraordinary meetings of the Presbyteries. Adopted.—1860, p. 32.

Your Committee report on the legality of the called meeting of the Missouri Synod, which was referred to it: That, in the absence of any explicit law on the question, and in view of the fact that other judicatures of our Church, with a similar constitution, make provision for called meetings, it is, therefore, the opinion of your Committee that the Moderator had a perfect right to call a meeting of said Synod. Adopted.—1888, p. 35.

It is the opinion of the Committee that there is no authority in our Constitution for a Moderator to call a session of the Synod except as provided in Section 39, where the Synod fails to meet on its own adjournment. Approved.—1895, p. 42.

#### **8. Meeting of Synod, After the Time to Which it Stood Adjourned, Legal.**

Your Judiciary Committee respectfully report, on the reference made to us as to the constitutionality of the meeting of Green River Synod. In this case it appears that the Synod adjourned to meet October 24, 1861, at 7 o'clock p. m., but did not meet until 11 o'clock a. m., October 25, 1861, which facts are recorded in the minutes. We therefore, report Green River Synod in order. Adopted.—1862, p. 54.

### 9. Moderator of Synod.

The Committee on Judiciary have considered the case from McAdow Synod, referred to them by your body. It appears that said Synod, at its session for 1883, organized and regularly elected a Moderator. On the second day of its session it took recess until 2 o'clock, p. m. At that hour the Moderator was absent. The Stated Clerk then called the Synod to order, and without declaring the office vacant, the Synod elected another Moderator.

This action of the Synod your Committee consider irregular. We are of the opinion that it is contemplated, under our Form of Government, that the Moderator elected at the organization of our church courts, at their regular sessions, should hold his office until the next stated meeting of such court, and to make the election of another at an earlier date regular, the office should in some way have first become vacant, and this fact should appear on record. Adopted.—1884, p. 33.

(Note.—See Part IV., "Church Courts," Section 1, "Moderators of the church courts," p. 101.)

### 10. Clerk of Synod.

(Note.—See Part IV., "Church Courts," Clerks of Church Courts," p. 104.)

### 11. Synod Determines Presbyterian Boundaries.

Constitution, Section 37.—The Synod has the power to create, divide, or dissolve Presbyteries when deemed expedient.

It is objected that the Synod had no right to create this Presbytery, out of Red Oak and others, against the objection of all or even one. We think the law is otherwise. Form of Government, Chapter X., Section 3, gives to the Synod power to "create, divide, or dissolve Presbyteries, when deemed expedient." That is, as we construe it, when the Synod, not the Presbyteries or congregations, deem it expedient or best for the church. Then, if it was considered "expedient" by the Synod, they had the power to

do it. It might be best to act upon petition or consent, but that is not necessary to the lawful power. We have no right to look into, or pass upon, their motives and objects, if the act done was within their constitutional power. It may be that this body would have the right to correct any abuse of the power, were the matter brought before it by proper mode. But the record in this case does not show any facts to authorize us to reverse and annul their action. From all that appears to us, we cannot but hold that their action was lawful. Adopted.—1876, p. 31.

The Committee on Judiciary, to whom was referred the appeal of Tabor congregation, of the Texas Synod, would state that Tabor Church, of Guadalupe Presbytery, in 1890, applied in the first instance to the Texas Synod to transfer Tabor congregation from the Guadalupe Presbytery to the Colorado Presbytery. In compliance with said request Texas Synod transferred said congregation to the Colorado Presbytery. Afterward, in 1891, upon an application of the Guadalupe Presbytery, the Synod of Texas rescinded its former action, transferring said Tabor congregation to the Colorado Presbytery.

The Committee, after a consideration of all the facts, find:

1. That the Synod has original jurisdiction, upon the application of a church or a number of churches, to change the boundary lines of a Presbytery, and to transfer one or more congregations from one Presbytery to another, and that the Synod in its first deliverance upon the question under consideration did not exceed its powers.

2. The Committee further find that the action of the Synod, rescinding at a subsequent session its action in the first instance, leaves the memorial of Tabor congregation before the Synod.

3. The Committee recommend that the said Synod of Texas transfer said congregation to the Colorado Presbytery, in accordance with the memorial and request of Tabor congregation. Adopted.—1892, p. 26.

**12. May Synod Transfer the Membership of a Minister?**

Synods have no right to change the Presbyterian relations of a minister or ministers; except in constituting new Presbyteries, in which case they have constitutional jurisdiction in reference to both territory and ministers.—1847, p. 620, MSS.

Your Committee appointed on the minutes of Iowa Synod, would report that they have examined the minutes of that Synod, of September, 1863, and find that, by a resolution of that body, the membership of Rev. Wm. Lynn was changed from Iowa to Oskaloosa Presbytery, without changing the boundaries of those Presbyteries. This, in the opinion of your Committee, is a departure from our Book of Discipline. We can conceive of very extreme circumstances when such action is justifiable, but in such cases, an account of the circumstances should be spread upon the minutes. Adopted.—1865, p. 173.

The question presented in the minutes of Pacific Synod has been considered. The question is, whether a minister with a letter of dismissal and recommendation can be received as a member of a Synod in another section, before he has been received and constituted a member of a Presbytery in such Synod? It is our opinion that a minister must become a member of a Presbytery by its action before he can be a member of Synod. Adopted.—1877, p. 20.

**13. The Name of the Presbytery, of a Member of the Synod, Should Be Given.**

Your Committee appointed to examine the Minutes of the Green River Synod would respectfully report that they find said minutes in good order, except the following omissions—namely: In making out the roll of members in attendance it is not stated from what Presbyteries the elders came.—1876, p. 15.

**14. Can a Synod Legalize the Acts of an Irregular Presbytery?**

Resolved: That Synods cannot legalize the illegal constitution and acts of Presbyteries. Adopted.—1841, p. 620, MSS.

This question is answered in our reply to the report of the Committee on the Minutes of Brazos Synod. In addition to that, we lay down this general principle of law: That no legislative body can legalize the acts of another legislative body, nor can an appellate court legalize the decisions of an inferior court. We admit that a legislature might legalize the acts of inferior courts or the acts of ministerial officers; but the distinction must be constantly borne in mind, that no legislative body can legalize acts which it was the exclusive prerogative of another legislative body to pass upon. Any other conclusion would involve infinite difficulty and confusion. Approved.—1875, p. 32.

### 15. Who May Be Seated by the Body?

We have complaint from Arkansas Synod. Said Synod resolved to seat one Rev. D. T. Waynick, an ex-Cumberland Presbyterian, should he visit the Synod. He had allied himself with the U. S. A. denomination. Following said action by the Synod, he appeared and by action of Synod was invited to a seat as a visiting member. Against this action of Synod the complaint is made.

Your committee would refer to the law governing such case. "Ministers in good standing in other Presbyteries, or in any ecclesiastical body with which this Church has established correspondence, being present at the time, may be invited to sit and deliberate as advisory or visiting members." The Cumberland Presbyterian Church not having any established correspondence with the Presbyterian Church U. S. A., it is the opinion of your committee that it is not proper nor right under the law to invite to a seat as a visiting member a member of the said U. S. A. Church. Certainly not, if objection be made.—1914, p. 165.

### 16. Can Synod Order a Presbytery to Drop a Name from Its Roll?

We find an order (by Kentucky Synod) directing Cumberland Presbytery to erase the name of a member from its list, without stating any process of trial, which your Committee regard as an unconstitutional act. Adopted.—1857, p. 15.



The following was adopted:

In the matter of the protest found in the minutes of West Tennessee Synod, in which complaint is made of the action of the Synod in instructing the Memphis Presbytery to drop from its roll the name of John A. Dewoody, your Committee is of the opinion that the action of said Synod was, under all the circumstances, eminently proper and hereby recommend the adoption of the following:

Resolved: That it is the sense of this General Assembly, as expressed substantially by the Assembly two years ago (1855, p. 49), that it is highly improper, disorderly, and subversive of the government of our Church for any Presbytery to receive as a member, or recognize any man as an orderly minister of the Cumberland Presbyterian Church, against whom a sentence of suspension or deposition has been pronounced, until said sentence has been legally revoked or withdrawn.—1857, p. 61.

The action of Nolin Presbytery in ordaining Mrs. L. M. Woosley to the work of the gospel ministry was without authority of the Holy Scriptures and without authority of the Constitution, Rules of Discipline, and Confession of Faith of the Cumberland Presbyterian Church, and such ordination was and is null and void.

The action of the Synod of Kentucky in declaring said ordination without authority from the Confession of Faith or the Holy Scriptures, was and is right and correct.

The order of the Synod of Kentucky instructing Nolin Presbytery to retire the name of Mrs. L. M. Woosley from its list of ministers was right and proper and should be affirmed.

We recommend that the appeal of Mrs. Woosley be dismissed and the action of the Synod of Kentucky be ratified and affirmed. Adopted.—1894, p. 23.

### 17. Synod May Remand with Instructions.

If, in the progress of the examination, the Synod finds evidences of guilt (of a minister) not contained in any of the charges, they should instruct the Presbytery to try him

on these points, if deemed of sufficient importance to demand the censure of the Church. Adopted.—1858, p. 35.

When a minister under censure of his Presbytery appeals to the Synod, has the Synod the right to judge the man, and to judge of the proceedings and to approve or condemn them and, if out of order, to remand the case with instructions?

Your Committee (Judiciary) would answer that any judicature to which an appeal has been taken has a right to examine the whole proceedings with the testimony and, if they find it according to order, to affirm the decision of the court below and, if not according to order, to remand it with instructions. Adopted.—1858, p. 33.

### **18. When a Call on Presbytery Is Unconstitutional.**

In the minutes of 1848 the Synod (Illinois) called upon Vandalia Presbytery to send up the minutes and documents relating to the case of A. F. Trowsdale, basing the demand on public rumor. Vandalia Presbytery refused to comply, for the reasons that ten years had elapsed since it withdrew the license of A. F. Trowsdale and several of the witnesses had died, and for the additional reason that the minutes of the Presbytery had passed the Synod at the proper time, without remark. Illinois Synod referred the case to this General Assembly; therefore be it

Resolved: That in the opinion of this General Assembly the demand of the Synod, in calling on Vandalia Presbytery, was unconstitutional. Adopted.—1849, p. 23.

### **19. Advisory Members and Visiting Brethren.**

General Regulations, Section 9.—Ministers in good standing in other Presbyteries, or in any ecclesiastical body with which this Church has established correspondence, being present at any meeting of a Presbytery or Synod, may be invited to sit and deliberate as advisory members. Ministers of like standing in other evangelical Churches may be invited to sit as visiting brethren. It is proper for the Moderator appropriately to introduce these ministers.

We, your Committee on the Minutes of Oregon Synod, would respectfully report that we find two irregularities:

1. That visiting brethren were put upon regular committees and put their signatures to the reports.

2. That a visiting brother was made Stated Clerk, pro tem., and signed the minutes as such. Adopted.—1892, p. 53.

(Note.—The terms “advisory members” and “visiting brethren” are frequently confounded. The foregoing case is manifestly an instance of that kind.—J. V. S.)

### 20. Synod Held on Sunday.

Your Committee, appointed to examine the minutes of the Synod of Brazos, report that we have had a printed copy of the minutes of 1870 of said Synod before us and find them in the main correct. They, however, adjourned on Saturday to meet on Sabbath morning, which your Committee think, to say the least, is not commendable. Adopted.—1871, p. 13.

### 21. A Synod Should Obey the Assembly.

The Pennsylvania Synod of 1867 resolved: “That, for the time being, we will withdraw our co-operation from the General Assembly in the way of declining to support the Boards of the Church, synodically or individually, or in any other way that would express our sympathy with said Assembly in its teachings on these questions.”

To this the Assembly replied that “such action by a Synod is subversive of the best interests of the Church and contrary to the genius of our ecclesiastical government.”—1868, p. 18.

### 22. Synods Must See That Their Presbyteries Obey the Constitution.

It (the Synod) has a constitutional right to order a reconsideration of any irregularity or departure from the Discipline and may properly recommend a Presbytery to rescind an act and may also, if necessity seems to require it, recommend that the Moderator call a special session of the Presbytery forthwith.—1834, pp. 220, 221, MSS.

### **23. A Synod May not Correct Its Minutes after They Have Passed the Assembly.**

The decision is that the Synod (Kentucky) had no right to correct its minutes after they had passed the Assembly. Your Committee are of opinion that the decision is correct and would recommend that it be sustained. Adopted.—1853, p. 11.

We find that they read, corrected, and approved a part of the minutes of a former meeting (Illinois Synod), which act we understand to be a violation of the rule forbidding the correction of a minute after final adjournment. Adopted.—1882, p. 14.

### **24. May Synod Direct a Presbytery to Correct Its Record?**

We, therefore do not sustain the appeal charging the Presbytery with irregular or disorderly proceeding, there being only one error or omission in the record, which the Presbytery should have been directed to correct or supply. Adopted.—1864, p. 138.

### **25. None but Regular Ministers and Elders Entitled to Sit in Synod.**

We have examined the minutes of Oregon Synod for session of June, 1886. We find the minutes in good form, with no departure from the usages of our Church, except the following paper which was adopted by that body:

“Whereas, much of the Christian work of the world is done by faithful Christian women, and

“Whereas, They are safe in counsel and zealous in effort; therefore be it

“Resolved: That we invite the various congregations within the bounds of this Synod to send each one lady representative to future meetings of the Synod, who shall have a right to speak upon all subjects not considered in interlocutory session and to exercise an advisory influence on all matters before the Synod relating to the interests of the cause of Christ within our bounds.”

We think this a departure from the usage of Presbyterianism of doubtful propriety and dangerous tendency. Not

on the ground of sex, but because it is calling lay members into a judicature of the Church in a semi-organic way. Referred to Judiciary Committee.—1887, p. 20.

The Committee on Judiciary submitted the following report on the matter presented in the foregoing report on the records of Oregon Synod, which was adopted:

The Committee on Judiciary have considered that part of the report of the Committee on the Minutes of the Synod of Oregon, which has been referred to this Committee and report thereon as follows:

We are of opinion that said report should be adopted, and we so recommend.

The proposed action of said Synod would, as we think, be in conflict with our government, and for this reason, as well as for the reasons assigned in the report under consideration, said action should not be approved. Adopted.—1887, pp. 20, 21.

#### **26. Synod Cannot Be Made the Final Court of Appeal.**

The memorial from Bonham Presbytery requests that the Synod be made the final court of appeal, except upon doctrinal and constitutional questions. Section 67, on page 119, of the Book of Church Government, provides that "every decision made by any church court, except the highest, is subject to the review of a superior court and may be brought before it by general review and control, reference, appeal, or complaint." Adopted.—1887, p. 13; 1897, p. 67.

### **IV. THE GENERAL ASSEMBLY.**

Constitution, Section 40.—The General Assembly is the highest court of this Church and represents in one body all the particular churches thereof. It bears the title of the General Assembly of the Cumberland Presbyterian Church and constitutes the bond of union, peace, correspondence, and mutual confidence among all its churches and courts.

### 1. Formation of the General Assembly.

The subject of a General Assembly was again taken up, and after mature deliberation and fervent and solemn prayer the Great Head of the Church, in an unusual manner, seemed graciously to afford his light, and a decision was made in favor of a General Assembly. The vote stood thus: for a delegate Synod, 20; for a General Assembly, 67.

Whereas, this Synod has determined to constitute a General Assembly; therefore be it

Resolved: That the following Synods be constituted—viz: 1. The McGee, Barnett, Sangamon, Illinois, St. Louis, and Arkansas Presbyteries compose a Synod to be known as the Missouri Synod, which shall meet the first Tuesday in October, 1829, at Potosi, Washington County, State of Missouri; and that Rev. Finis Ewing be the first Moderator, and in case of his failure, the Rev. Samuel King. 2. That the Anderson, Princeton, Logan, and Indiana Presbyteries compose a Synod to be known as the Green River Synod, to meet the second Tuesday in October, 1829, at the town of Henderson, in Henderson County, State of Kentucky; and that the Rev. David Lowry be the first Moderator, and in case of his failure, the Rev. Alexander Chapman. 3. That the Nashville, Lebanon, Knoxville, and Hopewell Presbyteries compose a Synod to be known as the Franklin Synod, to meet the third Tuesday in October, 1829, at the Big Spring Meeting House, in Wilson County, State of Tennessee; and that the Rev. Thomas Calhoun be the first Moderator, and in case of his failure, the Rev. Samuel McSpadden. 4. That the Alabama, Bigby, Elk, and Tennessee Presbyteries compose a Synod to be known as the Columbia Synod, to meet on the fourth Tuesday in October, 1829, at Huntsville, State of Alabama; and that the Rev. Robert Donnell be the first Moderator, and in case of his failure, the Rev. James B. Porter.—From Minutes of Cumberland Synod, October, 1828.

Resolved: That the several Presbyteries be authorized and required to appoint and send commissioners to the General Assembly of the Cumberland Presbyterian Church, which is to meet at Princeton, Ky., on the third Tuesday in May,

1829, in the following ratio—viz.: Each Presbytery consisting of twelve or more ministers shall send two ministers and two elders.

Resolved: That all the business which has been transacted by this Synod, the reports and accounts which were to be made to our next Synod, be referred to the first meeting of the General Assembly; and this Synod be, and the same is hereby, dissolved.—From Minutes of Cumberland Synod, October, 1828.

## 2. First Meeting of the General Assembly.

On Tuesday, May 19, 1829, a quorum of the commissioners who had been appointed by their respective Presbyteries, according to the instructions of the last Synod, met at the town of Princeton, Caldwell County, State of Kentucky, for the purpose of constituting the General Assembly of the Cumberland Presbyterian Church.

The Rev. Robert Donnell being invited, opened the meeting by a sermon from 1 Kings 3: 9.

The Rev. Thomas Calhoun, being then invited, took the chair and constituted the General Assembly by prayer.—1829, pp. 1, 2, MSS.

Rev. Thomas Calhoun was chosen Moderator, and Rev. Richard Beard, clerk—1829, p. 4, MSS.

Rev. Franceway R. Cossitt was appointed Stated Clerk.—1829, p. 16, MSS.

With the exceptions of 1839 and 1844, the General Assembly has met annually. Until 1855 it met on the third Tuesday of May at 11 a. m., since which time it has met on the third Thursday of May at 11 a. m.

The following table exhibits the time and place of meeting, together with the names of the Moderators and Stated Clerks of the Assembly, showing also the number of commissioners enrolled at each meeting:

## 3. Moderators and Clerks of Past Assemblies—1829 to 1919.

Date.	Place.	Moderator.	Stated Clerk.	Members.
1829, May 19...	Princeton, Ky.	Thomas Calhoun...	F. R. Cossitt.....	26
1830, May 18...	Princeton, Ky.	James B. Porter...	F. R. Cossitt.....	36
1831, May 17...	Princeton, Ky.	Alex. Chapman...	F. R. Cossitt.....	34
1832, May 15...	Nashville, Tenn.	Samuel King.....	F. R. Cossitt.....	36
1833, May 21...	Nashville, Tenn.	Thomas Calhoun...	F. R. Cossitt.....	35
1834, May 20...	Princeton, Ky.	F. R. Cossitt.....	James Smith.....	48
1835, May 19...	Princeton, Ky.	Samuel King.....	James Smith.....	42
1836, May 17...	Nashville, Tenn.	Reuben Burrow...	James Smith.....	43
1837, May 16...	Princeton, Ky.	Robert Donnell...	James Smith.....	49
1838, May 15...	Lebanon, Tenn.	Hiram A. Hunter...	James Smith.....	47
1840, May 19...	Elkton, Ky.	Reuben Burrow...	James Smith.....	55
1841, May 18...	Owensboro, Ky.	William Ralston...	C. G. McPherson...	56
1842, May 17...	Owensboro, Ky.	Milton Bird.....	C. G. McPherson...	57
1843, May 16...	Owensboro, Ky.	A. M. Bryan.....	C. G. McPherson...	68
1845, May 20...	Lebanon, Tenn.	Richard Beard...	C. G. McPherson...	95
1846, May 19...	Owensboro, Ky.	M. H. Bone.....	C. G. McPherson...	86
1847, May 18...	Lebanon, Ohio	Hiram A. Hunter...	C. G. McPherson...	71
1848, May 16...	Memphis, Tenn.	Milton Bird.....	C. G. McPherson...	100
1849, May 15...	Princeton, Ky.	John L. Smith....	C. G. McPherson...	75
1850, May 21...	Clarksville, Tenn.	Reuben Burrow...	Milton Bird.....	102
1851, May 20...	Pittsburg, Pa.	Milton Bird.....	Milton Bird.....	71
1852, May 18...	Nashville, Tenn.	David Lowry.....	Milton Bird.....	107
1853, May 17...	Princeton, Ky.	H. S. Porter.....	Milton Bird.....	108
1854, May 16...	Memphis, Tenn.	Isaac Shook.....	Milton Bird.....	112
1855, May 15...	Lebanon, Tenn.	M. H. Bone.....	Milton Bird.....	101
1856, May 15...	Louisville, Ky.	Milton Bird.....	Milton Bird.....	99
1857, May 21...	Lexington, Mo.	Carson P. Reed...	Milton Bird.....	106
1858, May 20...	Huntsville, Ala.	Felix Johnson...	Milton Bird.....	124
1859, May 19...	Evansville, Ind.	T. B. Wilson.....	Milton Bird.....	131
1860, May 17...	Nashville, Tenn.	S. G. Burney.....	Milton Bird.....	168
1861, May 16...	St. Louis, Mo.	A. E. Cooper.....	Milton Bird.....	51
1862, May 15...	Owensboro, Ky.	P. G. Rea.....	Milton Bird.....	58
1863, May 21...	Alton, Ill.	Milton Bird.....	Milton Bird.....	73
1864, May 19...	Lebanon, Ohio	Jesse Anderson...	Milton Bird.....	65
1865, May 18...	Evansville, Ind.	Hiram Douglas...	Milton Bird.....	78
1866, May 17...	Owensboro, Ky.	Richard Beard...	Milton Bird.....	155
1867, May 16...	Memphis, Tenn.	J. B. Mitchell...	Milton Bird.....	176
1868, May 21...	Lincoln, Ill.	G. W. Mitchell...	Milton Bird.....	184
1869, May 20...	Murfreesboro, Tenn.	S. T. Anderson...	Milton Bird.....	173
1870, May 19...	Warrensburg, Mo.	J. C. Provine....	Milton Bird.....	167
1871, May 18...	Nashville, Tenn.	J. B. Logan.....	Milton Bird.....	173
1872, May 16...	Evansville, Ind.	C. H. Bell.....	Milton Bird.....	182
1873, May 15...	Huntsville, Ala.	J. W. Poindexter...	John Frizzell.....	165
1874, May 21...	Springfield, Mo.	T. C. Blake.....	John Frizzell.....	185
1875, May 20...	Jefferson, Tex.	W. S. Campbell...	John Frizzell.....	169
1876, May 18...	Bowling Green, Ky.	J. M. Gill.....	John Frizzell.....	184
1877, May 17...	Lincoln, Ill.	A. B. Miller.....	John Frizzell.....	171
1878, May 16...	Lebanon, Tenn.	D. E. Bushnell...	John Frizzell.....	205
1879, May 15...	Memphis, Tenn.	J. S. Grider.....	John Frizzell.....	143
1880, May 20...	Evansville, Ind.	A. Templeton...	John Frizzell.....	194
1881, May 19...	Austin, Tex.	W. J. Darby.....	John Frizzell.....	187
1882, May 18...	Huntsville, Ala.	S. H. Buchanan...	John Frizzell.....	183
1883, May 17...	Nashville, Tenn.	A. J. McGlumphy...	T. C. Blake.....	204
1884, May 15...	McKeesport, Pa.	John Frizzell...	T. C. Blake.....	148
1885, May 21...	Bentonville, Ark.	G. T. Stainback...	T. C. Blake.....	185
1886, May 20...	Sedalia, Mo.	E. B. Chrisman...	T. C. Blake.....	193
1887, May 19...	Covington, Ohio	Nathan Green...	T. C. Blake.....	187
1888, May 17...	Waco, Tex.	W. H. Black.....	T. C. Blake.....	217
1889, May 16...	Kansas City, Mo.	J. M. Hubbert...	T. C. Blake.....	217
1890, May 15...	Union City, Tenn.	E. G. McLean...	T. C. Blake.....	220
1891, May 21...	Owensboro, Ky.	E. E. Beard.....	T. C. Blake.....	213
1892, May 19...	Memphis, Tenn.	W. T. Danley...	T. C. Blake.....	229
1893, May 18...	Little Rock, Ark.	W. S. Ferguson...	T. C. Blake.....	226
1894, May 17...	Eugene, Ore.	F. R. Earl.....	T. C. Blake.....	167
1895, May 16...	Meridian, Miss.	M. B. DeWitt...	T. C. Blake.....	208
1896, May 21...	Birmingham, Ala.	A. W. Hawkins...	J. M. Hubbert...	200
1897, May 20...	Chicago, Ill.	H. S. Williams...	J. M. Hubbert...	224
1898, May 19...	Marshall, Mo.	H. H. Norman...	J. M. Hubbert...	221
1899, May 18...	Denver, Col.	J. M. Halsell...	J. M. Hubbert...	181
1900, May 17...	Chattanooga, Tenn.	H. C. Bird.....	J. M. Hubbert...	230



Date	Place	Moderator	Stated Clerk	Members
1901, May 16...	West Point, Miss. ....	E. E. Morris.....	J. M. Hubbert....	226
1902, May 15...	Springfield, Mo. ....	S. M. Templeton....	J. M. Hubbert....	255
1903, May 21...	Nashville, Tenn. ....	R. M. Tinnon.....	J. M. Hubbert....	247
1904, May 19...	Dallas, Tex. ....	W. E. Settle.....	J. M. Hubbert....	251
1905, May 18...	Fresno, Cal. ....	J. B. Hail.....	J. M. Hubbert....	249
1906, May 17...	Decatur, Ill. ....	Ira Landrith.....	J. M. Hubbert....	279
1906, May 24...	Decatur, Ill. ....	J. L. Hudgins.....	T. H. Padgett....	106
1907, May 17...	Dickson, Tenn. ....	A. N. Eshman.....	J. L. Goodknight..	140
1908, May 21...	Corsicana, Tex. ....	F. H. Prendergast..	J. L. Goodknight..	236
1909, May 20...	Bentonville, Ark. ....	J. T. Barbee.....	J. L. Goodknight..	142
1910, May 19...	Dickson, Tenn. ....	J. H. Fussell.....	J. L. Goodknight..	144
1911, May 18...	Evansville, Ind. ....	J. W. Duvall.....	J. L. Goodknight..	105
1912, May 16...	Warrensburg, Mo. ....	J. D. Lewis.....	J. L. Goodknight..	109
1913, May 15...	Bowling Green, Ky. ....	J. H. Milholland....	J. L. Goodknight..	119
1914, May 21...	Wagoner, Okla. ....	F. A. Brown.....	J. L. Goodknight..	112
1915, May 20...	Memphis, Tenn. ....	William Clark.....	D. W. Fooks.....	116
1916, May 18...	Birmingham, Ala. ....	J. L. Price.....	D. W. Fooks.....	125
1917, May 17...	Lincoln, Ill. ....	F. A. Seagle.....	D. W. Fooks.....	102
1918, May 16...	Dallas, Tex. ....	C. H. Walton.....	D. W. Fooks.....	117
1919, May 15...	Fayetteville, Ark. ....	J. H. Zwingle.....	D. W. Fooks.....	...

#### 4. Basis of Representation in the General Assembly.

Constitution, Section 41.—Every Presbytery shall be entitled to send one minister and one ruling elder; but if it consists of eighteen or more ministerial members, it may send an additional minister and ruling elder.

#### 5. Commissioners to the General Assembly.

Constitution, Section 41.—Each Commissioner, before his name shall be enrolled as a member of the General Assembly, shall produce from his Presbytery satisfactory evidence of his appointment.

Your Committee beg leave to report that we have examined the credentials of Rev. E. C. Boaz and find them regular. The protest against his being seated as a commissioner of this body being verbal only, we have no grounds to recognize the same. Adopted.—1896, p. 9.

#### (1) Not Necessary To Be a Pastor in Order To Be a Commissioner to the General Assembly.

Is a minister having no pastoral charge on that account rendered ineligible to a seat in the General Assembly? Decided that he is not.—1846, p. 494, MSS.

#### (2) Commissioners Should Remain through the Assembly.

Resolved: That the Presbyteries within the bounds of the Church be, and are hereby, requested to appoint and com-

mission no member to this body who will not remain during the whole of its deliberations, unless called to leave by some intervening providence, and that if any member travel on the Sabbath day, in going to or returning from the Assembly, he be dealt with for an immorality. Adopted.—1852, p. 31.

### **(3) Commissioners Are Accountable to Their Presbyteries.**

Resolved: That it is the opinion of this Assembly that it has not the right to require commissioners to render an account for failure to attend at the commencement of the session of the Assembly, they being accountable to their respective Presbyteries.—1832, pp. 98, 99, MSS.

### **6. A Quorum of the General Assembly.**

Constitution, Section 42.—Any twenty or more of these commissioners, at least ten of whom shall be ministers, being met on the day and at the place appointed, shall be a quorum for the transaction of business.

### **7. The Assembly Must Meet as often as Once in Two Years.**

Constitution, Section 41.—The General Assembly shall meet as often as once every two years, at such time and place as may have been determined at its preceding meeting.

(Note.—Propositions and memorials favoring biennial sessions were rejected in 1835, in 1875, in 1894, and in 1898.—A. C. B.)

Your Committee (ways and means) is of opinion that inasmuch as the Assembly may at each meeting fix the time for its next meeting, provided such meeting be within the constitutional period of two years from adjournment, it would not be wise to attempt further legislation on this subject. Further, your Committee fear that biennial meetings would result in a want of proper growth in the various enterprises of the Church; that the fires upon the altars would soon burn low; that much needed care and watchfulness would be lost; and, indeed, we fear that the retrograde movement along

these lines would prove a loss greater than could be compensated for by the amount of money saved. Your Committee therefore recommend that there be no further legislation, at least for the present, upon this subject.—1898, p. 78.

### **8. Provision for Failure to Meet at the Appointed Time.**

Constitution, Section 44.—If, for any cause, the General Assembly shall fail to meet at the time and place to which it stands adjourned, it shall be the duty of the Moderator, or, in case of his absence, death, or inability to act, the Stated Clerk, to call a meeting as early as practicable, at such place as he may designate, for the transaction of the regular business; and for this purpose a circular letter shall be sent to the Stated Clerks of the Presbyteries, not less than sixty days before the proposed time for the meeting.

In case of the death, absence, or inability to act of both the Moderator and Stated Clerk, such meeting may, in like manner, be called by the commissioners, or one or more of them, from any five of the Presbyteries.

### **9. The Stated Clerk of the Assembly.**

#### **(1) List of Stated Clerks.**

Rev. F. R. Cossitt, D.D., was elected in 1829 and resigned in 1834.—Minutes, p. 16.

Rev. James Smith was elected in 1834 and ceased to act in 1841.—Minutes, 1834, p. 234.

Rev. C. G. McPherson was elected in 1841 and resigned in 1850.—Minutes, 1841, p. 660.

Rev. Milton Bird was elected in 1850 and died July 26, 1871.—Minutes, 1850, p. 16.

Ruling Elder John Frizzell was elected in 1872 and resigned in 1883.—Minutes, 1872, p. 31.

Rev. T. C. Blake, D.D., was elected in 1883 and died February 9, 1896.—Minutes, 1883, p. 27.

Rev. J. M. Hubbert was elected in 1896 and ceased to act May 23, 1906—Minutes, 1906, p. 10.

Rev. T. H. Padgett was elected May 24, 1906, and resigned in 1907.—Minutes, 1906, p. 8.

Rev. J. L. Goodknight was elected in 1907 and died October 2, 1914.—Minutes, 1907, p. 41.

Rev. D. W. Fooks was elected in 1915 and continues in office.—Minutes, 1915, p. 20.

### **(2) In Case of Death the Moderator May Appoint a pro tempore Clerk.**

When Dr. Blake died in 1896, the Moderator for that year, the Rev. M. B. DeWitt, D.D., appointed the Rev. J. M. Hubbert as clerk pro tempore, and his action was endorsed by the Assembly. At the death of Dr. Goodknight, Rev. F. A. Brown, the Moderator of the Assembly for that year, appointed Rev. D. W. Fooks as clerk pro tempore, and that act was ratified by the Assembly.

Your Committee appointed to consider what course should be taken in case of the death of a Stated Clerk of any Church court in the interims of meetings recommend that in all such cases the Moderator of the court shall have power to name a pro tempore clerk, who shall take charge of the books and papers of the deceased clerk and discharge all the duties and obligations of a regularly elected Stated Clerk until the court concerned shall fill the vacancy.—1897, p. 75.

### **(3) The Duties of the Stated Clerk.**

Resolved: That it is the duty of the Stated Clerk to be present at each meeting of the General Assembly, to give transcripts from the records of the Church, and make such explanations and furnish such matter as may be necessary for the action of the General Assembly, and that he be permitted to take part in debates in all matters in relation to the duties of his office. Adopted.—1837, pp. 295, 296, MSS.

The Committee appointed to define the duties of the Stated Clerk of the General Assembly recommend the following additional duties:

1. It shall be his duty to furnish all the stationery for the use of the General Assembly.

2. He shall furnish a docket of the business for the action of the General Assembly, as taken from the Minutes of the

same, and such other business as may be forwarded to him from time to time.

3. He shall transcribe for the press such parts as may be necessary of the Minutes, to be published from year to year; he shall correct the proof and superintend the printing of all minutes and papers which shall be ordered to be printed by the General Assembly. He shall send one copy to each ordained minister in the Cumberland Presbyterian Church, of whose address he may be informed, and to any other person or persons that the General Assembly may designate.

4. He shall copy the original minutes at each session.

5. He shall have charge of all the books and papers of the General Assembly and shall cause the minutes to be transcribed into a book or books provided for the purpose.—Adopted, 1837.

#### **10. Treasurer of the General Assembly.**

(Note.—See Rules of Order, Section 22.)

It is very difficult to secure accurate and full information in regard to the Treasurers in the earlier years of the Assembly. It appears that none was elected before 1834.

In 1875, for various and wholesome reasons, the Board of Publication was made Treasurer, continuing until 1903. In 1903, Rev. J. M. Hubbert, Stated Clerk, was elected Treasurer. Since that time, the Stated Clerk has been elected also the Treasurer. Rev. T. H. Padgett, 1906-7; Rev. Dr. Goodknight, 1907-14; Rev. D. W. Fooks, 1915 to the present time.

#### **11. The General Assembly Contingent Tax.**

General Regulations, Section 12.—The Church courts, above the church session, may from time to time make such assessments upon their constituent bodies as may be necessary to meet the contingent expenses of the court making the assessment; may provide the way and manner in which the same shall be paid, and prescribe such rules in relation thereto as may be deemed necessary to secure the prompt payment thereof.

### (1) Tax Based on the Number of Communicants.

The following recommendations as to the financial operations of the General Assembly were made, which were adopted:

1. That a contingent tax equal to two cents for each communicant within the bounds of the Presbyteries be paid over to the Stated Clerk of the General Assembly for the purpose of defraying its incidental expenses.

2. This contingent tax shall be due and payable on the first day of May in each year.—1873, p. 34.

The Committee on Finance recommend that “the contingent tax upon the Presbyteries be, for the ensuing year, three cents per communicant.” Adopted.—1875, p. 38.

### (2) Presbyteries, not Preachers and Churches, Are Taxed.

Whereas, there appears to be considerable misinterpretation of the language used by the Assembly in establishing the contingent tax; therefore be it

Resolved: That in the use of the phrase “an amount of money equal to one dollar for every ordained minister,” the Assembly taxes Presbyteries, not preachers, and does not by any means contemplate that the preachers pay the tax, but that the Presbyteries raise the amount in such way as may appear expedient, by tax on the churches or otherwise. Approved.—1871, p. 33.

### (3) The Stated Clerk Cannot Remit or Compromise the Contingent Fund.

The General Assembly instructed its Stated Clerk not to settle by compromise any claims which the General Assembly holds against the Presbyteries, but to inform them that the Assembly expects them to pay in full their share of the necessary expenses, and this order applies to Presbyteries which have heretofore been exempt from the contingent tax.—1896, p. 30; 1897, p. 62.

### (4) The Assembly Alone can Remit or Compromise the Contingent Fund.

The Committee on Finance submitted the following report, which was adopted:

A Presbytery has asked that its indebtedness to the General Assembly be canceled and that it be permitted to use all money collected for work within its own bounds. To permit a Presbytery to use its funds wholly within its own bounds would be obviously unjust to other weak Presbyteries and would establish a precedent which would involve the Assembly in endless confusion. We therefore recommend that the prayer be not granted.—1896, p. 30; 1898, p. 63.

**(5) No Reimbursement Can Be Made to Presbyteries That Pay Dues after the Supply of the Minutes Is Exhausted.**

That no reimbursement of credit be given to such Presbyteries as have paid up their delinquent tax without receiving the former Minutes, seeing that the supplies have been exhausted and that the printing of the Minutes requires only a small part of the contingent tax. Approved.—1898, p. 63.

**(6) The Stated Clerk Must Report Delinquent Presbyteries to Their Synods.**

That, inasmuch as the arrears of Presbyteries on contingent tax amounts to over two thousand dollars, your Stated Clerk be directed to confer with such Presbyteries and urge them to pay at once all, or such part of their indebtedness as they may be able.

That your Stated Clerk call the attention of Synods to their delinquent Presbyteries and that all such Presbyteries, by the counsel and direction of their Synods, report to the next regular meeting of the General Assembly how much of their arrears they can and are willing to pay.

That in any case in the future where the contingent tax of a Presbytery has been due for one year, your Stated Clerk be directed to call the attention of the Synod to this fact. Adopted.—1898, p. 63.

## **12. Miscellaneous Regulations.**

(Note.—See Stated Clerk's Report.—1918, p. 9-11.)  
Assembly news publicity. See Minutes, 1916, p. 35.

### I. The Assembly's Stated Clerk.

Besides discharging the duties named in Form of Government, the Assembly Stated Clerk is required:

1. To discharge the duties of Engrossing Clerk, appointing such Temporary Clerks at each meeting of the Assembly as may be needed for his assistance. Minutes, 1872, p. 31; 1873, p. 34.

2. To furnish proper statistical blanks to the Stated Clerks of the lower Church Courts. Minutes, 1873, p. 34; 1897, pp. 24, 26.

3. To report inefficient Stated Clerks to their Presbyteries and Synods. Minutes, 1889, p. 52; 1891, p. 15; 1898, p. 51.

4. As far as he can do so consistently with other duties, to visit Church Courts and congregations and give encouragement and direction toward the general welfare of the Church, being permitted to use also the title "General Traveling Secretary." See Minutes of 1901, p. 115.

5. The Stated Clerk's salary is \$750 per annum. See Minutes, year 1916, p. 73.

6. He shall also employ such press reporters during the sessions of the Assembly as may be necessary to give the Assembly news publicity. See Minutes, 1916, p. 35.

7. The Stated Clerk of the General Assembly was instructed not to publish in the Minutes of the General Assembly any communications or reports unfavorably considered by the Assembly. (See page 27, Minutes of 1917 Assembly.)

8. We recommend that the printing of the Minutes of the General Assembly (until further ordered) be done by our own printing plant, The New Cumberland Press, and that it be paid a price of not exceeding ten per cent above cost. (See page 130, Minutes of 1917 Assembly.)

### II. The Assembly Treasurer.

The Stated Clerk shall also act as the Assembly's Treasurer, for the collection and handling of contingent tax. See Minutes of 1900, p. 47.



### III. The Assembly's Contingent Tax.

The Assembly's contingent tax shall be five cents per resident member, due July 1 each year. (Minutes, 1914, p. 146; 1908, p. 99.) Statement sent by Stated Clerk July 1, based on resident members, to each Presbyterial Treasurer. (Minutes, 1898, p. 63; 1903, p. 7.)

The Assembly's Stated Clerk is not authorized to remit the tax of a Presbytery. Any Presbytery regarding itself as, from any cause, entitled to relief from this tax or any portion thereof may, by the counsel of and direction of its Synod, petition the Assembly to that effect. (Minutes, 1898, p. 73.)

### IV. The Assembly's Minutes.

The Assembly's Minutes will be sent, free of charge, to ordained ministers, clerks of sessions, the various Boards and schools of the Church, such Synodical and Presbyterial Stated Clerks and Treasurers as are not ministers or session clerks, to those appointed by the Assembly to serve on committees in the interim of Assembly meetings, to the Stated Clerk's Exchange, to all members of each Assembly, and a copy is to be sent to any probationer requesting it and sending ten cents to cover postage. Others desiring the Minutes can secure them by addressing Rev. D. W. Fooks, Paducah, Ky., and enclosing 50 cents. (Minutes, 1897, p. 46; 1903, p. 66; 1904, p. 66.)

### V. Presbyterial and Synodical Meetings.

The Assembly directs that every Presbytery shall hold a "spring meeting," and as early as possible, that the Stated Clerks of Presbyteries shall have their reports in the hands of the Assembly's Stated Clerk not later than May 1; also that summer meetings of Church courts shall be held late in the season, in order that there may have been sufficient time to become familiar with the deliverances of the Assembly. (See pp. 39, 67; Minutes of 1898, p. 52.)

### VI. Stated Clerks of Presbyteries.

1. The Assembly recommends that, as a matter of convenience and efficiency, Presbytery shall select the same per-

son to serve as its Stated Clerk and Treasurer where this is practicable. (Minutes, 1897, p. 63.)

2. This Assembly makes it a standing order that the Stated Clerks of the Presbyteries are to have their statistical and financial and other reports in the hands of the General Assembly's Stated Clerk by May 1 of each year, that there may be no delay in publishing the Minutes of the General Assembly.

3. The Stated Clerk of the General Assembly has been directed not to delay the publishing of the Minutes on account of any delay in Presbyterial reports; and, in default of report from the Stated Clerk in any Presbytery, he shall publish the report as given the year before. (Minutes, 1909, p. 91.)

#### **VII. Examination of Assembly Minutes.**

The Assembly directs that each church court, from session to Synod, at its first meeting after the appearance of the Assembly Minutes, shall conduct in open meeting a careful examination of the Minutes, as a means of discovering whether there be errors and omissions in the same and who is responsible therefor, so that the clerks of Church courts may be held to rigid account for the discharge of their official duties. (See Minutes of 1901, p. 77.)

#### **VII. Report of Boards and Permanent Committees.**

1. All the Assembly's Boards and Permanent Committees are ordered to close their books promptly on December 31 (except the Board of Ministerial Relief, which closes its books on January 31) and to have their annual reports in the hands of the Stated Clerk not later than April 1, in order that he may print the same and send them to commissioners in advance of the Assembly's meeting. (See Minutes of 1901, p. 117; 1903, p. 65.)

2. When the books and papers of any Board of this General Assembly, receiving and paying out money for any purpose, are submitted to a special auditing committee prior to the meeting of the Assembly, such books, papers, receipts, stubs, etc., together with report of said special committee

shall be submitted to the Assembly's regular auditing committee. (See Assembly Minutes for year 1016, p. 121.)

### IX. Assembly's Standing Rule.

In 1901 and 1915 the General Assembly adopted the following:

Resolved that:

1. Popular meetings shall be held on successive evenings as follows, beginning at 8 o'clock:

Thursday—Home Missions.

Friday—Tithing.

Saturday—Sunday School and Young People's Work.

Sunday—Education.

Monday—Foreign Missions.

Tuesday—Ministerial Relief.

Wednesday—Publication.

These popular meetings shall be under the direction of the Boards and Committees, respectively having these interests specially in charge.

2. Friday Forenoon—Assembly Business:

Appointment of Committees.

Stated Clerk's Report.

Communications and Overtures.

Reports of Boards and Permanent Committees, etc.

The Boards and Committees are each to occupy not exceeding thirty minutes, and in the following order:

Educational.

Missions and Church Election.

Publication.

Ministerial Relief.

Assembly Trustees.

As a rule, papers that are in print and in the hands of the members shall be accepted as having been read, those presenting them having opportunity for making remarks within the limits named.

3. Friday Afternoon.—For so much of this period as may be necessary, the order of the forenoon is to be continued.

4. Assembly business in the forenoons of Saturday, Monday, Tuesday, Wednesday, Thursday, and Friday.

5. There shall be no business session of the Assembly on the afternoons of Saturday, Monday, Tuesday, the time being devoted to Committee work.

6. Reports of all Standing and Special Committees shall be considered in the order in which they are filed with the Stated Clerk.

7. All resolutions touching the general enterprises of the Church must be referred to appropriate Standing Committees for consideration before they can be taken up by the body.

8. No item of business in conflict with this Standing Rule shall be considered except by suspension of the Rule by a two-thirds vote.

9. In all cases not provided for in its own Rules of Order, the Assembly is to be governed by Robert's Rules of Order.

10. That we believe it would be wise for arrangements to be made for preaching services at 11 a. m. on Saturday and Monday and on Saturday and Monday afternoons for the benefit of the visitors or the commissioners who are not engaged in the committee rooms, these arrangements to be made by the pastor-host.

### **Members of Church Boards.**

(Original resolution of 1910 as amended in 1912.)

To the Moderator and Members of the Eighty-second General Assembly:

Whereas, there is no uniform number which constitutes the Boards of our Church:

Resolved: 1. That in no case should there be more than nine members; and where there are nine members in the Board, three new members should be elected each year.

2. That where the Board is constituted of a less number than nine that one-third of the members should be elected each year.

3. That no individual shall be a member of more than one Board.

4. That each Board so adjust itself as to comply with these rules after 1910 General Assembly.

5. That each Board may nominate to the General Assembly persons to fill the places of the one-third going out each year.—F. A. Brown.

### 13. The Fiscal Year Closes December 31.

After a conference with the Committees on Church Government, Overtures, and Education, we recommend that you make the fiscal year coincide with the calendar year and that this fiscal year close with December 31, 1897. We suggest that you require all of your Boards, Presbyteries, Synods, and church sessions to conform to this order. Adopted.—1897, p. 55..

That, inasmuch as the fiscal year has been made to coincide with the calendar year, each Presbytery shall pay tax on the number of ministers and churches reported in the Assembly Minutes, and this tax shall fall due July 1, at which time the Stated Clerk of the Assembly shall send a financial statement to each Presbyterial Treasurer. Adopted.—1898, p. 63.

### 14. No Titles To Be Printed after Names.

The following resolution was adopted:

Resolved: That in the Minutes, both written and printed, of this General Assembly no academic or honorary titles shall be used.—1881, p. 7.

### 15. Statistical Blanks.

Resolved: That the Stated Clerk be, and he is hereby, instructed to prepare blanks that will enable the churches to make full and complete reports to the Presbyteries, the Presbyteries to the Synods, and the Synods to the General Assembly.—1852, p. 20.

Resolved: That the several Presbyteries be and are hereby recommended to furnish themselves with blank forms of reports, printed as per order of the Assembly, and make their annual report to the Stated Clerk of the Assembly at an early period after the meeting of the Presbytery next preceding the Assembly. Adopted.—1853, p. 55.

Resolved: That the Stated Clerk have published with the Minutes a statistical report, whenever he may be able to secure one which may be approximately correct; and whenever necessary to do so, he will place himself in direct communication with the church sessions. Adopted.—1877, p. 35.

Resolved: That this General Assembly ask the Presbyteries throughout the Church to demand of their Stated Clerks full and complete statistical reports from the congregations within their jurisdictions. Adopted.—1884, p. 34.

#### **16. Mortuary List of Ministers To Be Printed.**

Resolved: That the several Presbyteries be, and they are hereby requested, to make out a list, at their fall sessions, in 1845, and biennially thereafter, of the names of all the candidates, licentiates, and ordained ministers, who have at any time died in their respective bounds, specifying their age, the date of their death, and the length of time they have been connected with the Presbytery. Such list shall accompany the minutes of Presbytery to Synod, there to be embodied in the Synod's records and forwarded to the General Assembly, to be formed into a general schedule for publication. Adopted.—1845, p. 363, MSS.

Resolved: That in the printed Minutes of this General Assembly, one page, or more if necessary, shall be set apart as a memorial page, on which shall be printed the names of deceased ministers properly reported to the Stated Clerk. Adopted.—1872, p. 23.

#### **17. Attitude of the General Assembly toward Other Churches.**

Constitution, Section 43.—The General Assembly shall have the power to correspond with other Churches.

This General Assembly entertains the kindest feelings towards all evangelical denominations of Christians and is ready, when the door may open, to enter into such correspondence and relations with them as shall more effectively oppose the kingdom of darkness and promote pure

religion and the cause of Christ in the world.—1847, p. 669, MSS.

**(1) The General Assembly Conducts Fraternal Correspondence.**

(Note.—The General Assembly has from time to time conducted fraternal correspondence with the following bodies and holds it a privilege to fraternize all evangelical denominations exhibiting a courteous and Christian brotherliness.—A. C. B.):

(a) General Assembly of the Presbyterian Church, New School.

(b) General Assembly of the Presbyterian Church, Old School.

(c) United Synod of the Presbyterian Church.

(d) General Assembly of the Presbyterian Church in the United States.

(e) General Assembly of the Presbyterian Church in the United States of America.

(f) General Assembly of the Cumberland Presbyterian Church, Colored.

(g) Conference of the Evangelical Union of Scotland.

(h) National Council of the Congregational Churches.

(i) General Synod of the Evangelical Lutheran Church.

(j) General Conference of the Methodist Protestant Church.

(k) General Conference of the Methodist Episcopal Church.

(l) General Conference of the Methodist Episcopal Church, South.

**(2) The General Assembly Repeatedly Fails in Organic Union.**

In the past history of the Cumberland Presbyterian Church there have been eight several occasions when its highest court, together with the highest court of another Church, has made sincere efforts to find some way to organic union, aside from the renunciation of some one or more of the fundamentals of our system of doctrines. Each

one of these sincere efforts ended in a signal failure because they found that they could not yield in matters vital to our standards. These successive attempts at organic union go very far to prove that our fathers, while always anxious to meet other denominations in a fraternal way, yet, when it came to the subscription to a yielding or a compromise, they found that they could not give up doctrines that had become dearer to them than life. And so, with failure after failure to enter into organic union with another, the Cumberland Presbyterian Church unites its voice in the continuance of the testimony of history that no great Church in the past has ever abandoned its beliefs and adopted another system. Organic union failures were as follows:

1. Cumberland Presbytery, with Synod of Kentucky.—Circular Letter.

2. Cumberland Presbyterian, with West Tennessee and Muhlenberg Presbyteries.—Minutes, 1812.

3. Cumberland Synod, with Synod of Tennessee.—Minutes, 1827.

4. Cumberland Presbyterian General Assembly, with the Presbyterian Church, U. S.—1867, p. 16; 1868, pp. 64-69.

5. Cumberland Presbyterian General Assembly, with the Presbyterian Church, U. S. A.—1873, p. 22; 1874, pp. 23, 59-64.

6. Cumberland Presbyterian General Assembly, with the General Synod of the Evangelical Lutheran Church.—1882, p. 97; 1883, pp. 30-31.

7. Cumberland Presbyterian General Assembly, with the General Conference of the Methodist Protestant Church.—1882, pp. 94, 95; 1887, pp. 33, 34.

8. Cumberland Presbyterian General Assembly, with the Presbyterian Church U. S. A.—1903-1906.

#### **18. Attitude of the General Assembly toward Certain Religious Societies and other Organizations.**

1. The Christian Alliance.—Appoints delegate to attend Union Convention to meet in London.—1846, p. 483.

2. The American Sunday School Union.—Recommends to the various congregations sympathy with its noble purpose



to plant a Sunday school in every destitute neighborhood.—1856, p. 25.

3. The American Tract Society.—Recommends it to the confidence and support of our people.—1878, p. 37.

4. The National Temperance Convention.—Appoints its Moderator and its Stated Clerk, with five others, to represent the General Assembly in the Convention at Cleveland.—1868, p. 15.

5. The American Bible Society.—Frequently commends this noble cause and recommends that collections be taken up in all our churches annually for the Bible cause.—1877, p. 36.

6. The American Bible Union.—Condemns this (Baptist) Society as “sectarian, intensely sectarian, and dangerous.” The Assembly adopted a strong paper condemning this Society for introducing immersion into the printed Word and warns its readers against the unsound as well as unscientific translation.

7. The Young Men’s Christian Association.—From its inception this Association has held a close touch with the Assembly. Sent and received fraternal messages—1883, p. 14.

8. The Woman’s National Christian Temperance Union.—“Commends the National Temperance Union, by whose untiring and unselfish efforts scientific temperance instruction has become a part of the course of study in the public schools of some thirty-six States in the Union.”—1894, p. 52.

9. The American Sabbath Union.—Sends five commissioners to represent the Assembly in the American Sabbath Union.—1889, p. 38.

10. The American Anti-Saloon League.—Corresponds with its headquarters, delegates to its Conventions, passes strong papers upholding the work in every State of our land.

### 19. The Bible in Our Schools.

Resolved: That in the judgment of this Assembly the Bible is eminently worthy of a place and should be carefully studied in every common school, seminary, college, and university, and that it is the duty of the Christian and the patriot wisely and actively to use their influence to cause

the Holy Bible to occupy the position which it deserves, that its most benign influence may be experienced in all the social, ecclesiastical, civil, literary, and religious relations of every community. Adopted.—1845, p. 289, MSS.

Whereas, the papal hierarchy and the Romanizing portions of some Protestant denominations are fiercely assailing, with intent to destroy, a leading, distinctive principle of the Reformation of the sixteenth century, a primary element of Christianity—the right of private judgment; and the better to accomplish this, the foes of an open Bible are making their artful and strenuous efforts to drive it from the common school, the people's college, and to take it from the common people; therefore be it

Resolved: That in point of fact, Papal ecclesiastics and their allies are the fierce and bitter enemies of civil and religious liberty; that they are the diligent and unyielding supporters of despotism. Its black and stagnant blood runs in their veins, and they are employing all their skill to introduce its malignant and deadly virus into the heart and arteries of our republic and to bring it under the control of their blighting hands and so reduce it to ruins and bind us and our children in the chains of despotism, and

Resolved: That as we value liberty, civil and religious, and our hope for the present and the future, we unflinchingly and continually maintain the right of private judgment and the use of the Bible in our common schools and higher institutions of learning. Adopted—1853, p. 24.

## 20. The Sacraments.

Confession of Faith, Section 98.—As under the Old Testament dispensation two sacraments were ordained, Circumcision and the Passover; so, under the New there are but two—that is to say, Baptism and the Lord's Supper.

### (1) Baptism.

Confession of Faith, Section 99-103.—Water-baptism is a sacrament of the New Testament, ordained by Jesus Christ as a sign or symbol of the baptism of the Holy Spirit, and as the seal of the Covenant of Grace.

100. The outward element to be used in this sacrament is water, wherewith the party is to be baptized into the name of the Father, and of the Son, and of the Holy Spirit, by an ordained minister of the gospel.

101. Baptism is rightly administered by pouring or sprinkling water upon the person, yet the validity of this sacrament does not depend upon any particular mode of administration.

102. The proper subjects of water-baptism are believing adults; also infants, one or both of whose parents or guardians are believers.

103. There is no saving efficacy in water-baptism, yet it is a duty of all believers to confess Christ in this solemn ordinance, and it is also the duty of all believing parents to consecrate their children to God in baptism.

(a) Baptism of Infants.

In the judgment of this General Assembly it is the duty of parents professing godliness to have their children baptized.—1845, p. 285, MSS.

The Constitution (Sec. 3) of the Church says: "The infant children of believers are, through the covenant and by right of birth, entitled to baptism." In the Confession of Faith (Sec. 102), infants of believing parents are declared to be "proper subjects of water-baptism." The Constitution (Sec. 27) makes it the duty of ruling elders to "urge upon parents the importance of presenting their children for baptism." It is hardly necessary to say in this connection that it is the duty of the minister in charge of a church to indoctrinate his people on this subject.

We recommend that you call the special attention of your Presbyteries to the dereliction of parents in this matter and to the importance of instructing their ministers to impress upon the people their duty. Ruling elders, too, should be made to feel a responsibility for any neglect of this important matter in their various churches. Adopted.—1897, pp. 45, 46.

(b) May one baptized in infancy be baptized again?

Your Committee have duly considered the question, whether a "minister of the Cumberland Presbyterian Church

may administer the ordinance of baptism to a person who has been baptized in infancy," propounded by the Miami Presbytery.

Chapter 28, Section 7, of our Confession of Faith, is in these words: "The sacrament of baptism is but once to be administered to any person, there being no example for the repetition of Christian baptism."

Regarding this as conclusive on the question, your Committee report accordingly, a negative answer. Adopted.—1880, p. 23.

(c) Presbyteries and Sessions should enforce the law in reference to baptism.

We have had before us a memorial from the Presbytery of Sparta, which is as follows:

"Whereas, there is great inconsistency in respect to the ordinance of baptism as administered by the ministers of our Church, and great negligence in respect to infant baptism, we would beg that you discontinue the unscriptural mode of dipping persons into the water, and that you urge it upon the parents in the Church to dedicate their children to God in the act of baptism, and bring them up in the nurture and admonition of the Lord."

Your Committee are of opinion that your Confession of Faith and Form of Government define with sufficient clearness the Bible doctrine upon these questions, and it is in the power of the Sessions and Presbyteries to enforce these regulations. We therefore recommend that you make no further deliverance on the subject. Adopted.—1876, p. 19.

## (2) The Lord's Supper.

(a) Should be celebrated at least once a quarter.

Resolved: That this General Assembly recommend that each church have the sacrament of the Lord's Supper administered at least quarterly. Adopted.—1854, p. 31.

(b) Pure "fruit of the vine" should be used.

The following resolution was adopted:

Resolved: That we recommend to all our churches, through the Presbyteries, to procure and use the pure "fruit

of the vine" in the observance of the Lord's Supper.—1877, p. 34.

(c) General Assembly Communion.

It was determined that hereafter the Assembly shall observe the sacrament of the Lord's Supper, on Thursday, the first day of the Assembly's sittings, at 8 o'clock p. m., and that the retiring Moderator and the pastor of the church with which the Assembly meets shall conduct, or arrange for, said service.—1897, p. 29.

(Note.—Such was a standing rule of the General Assembly for several years, until 1801, when "Popular Meetings" takes the Thursday night hour, and minutes do not show the observance of the Communion. Nor do we find in any minute from that time till 1909, when the Assembly resumed its observance. Since that time it has been usual to observe the communion Sunday after preaching, though once it was held Sunday night and once Sunday afternoon.—A. C. B.)

## 21. Secret and Family Worship.

Directory for Worship, Sections 31-35.—Besides the public worship in congregations, it is the indispensable duty of each person alone in secret, and every family by itself in private, to pray and to worship God.

32. Secret worship is most plainly enjoined by our Lord. In this duty every one, apart by himself, is to spend some time in prayer, reading the Scriptures, holy meditation, and serious self-examination. The many advantages arising from a conscientious discharge of these duties are best known to those who are found in the faithful discharge of them.

33. Family worship, which ought to be performed by every family, ordinarily morning and evening, consists in prayer, reading the Scriptures, and singing praises.

34. The head of the family, who is to lead in this service, ought to be careful that all members of his household duly attend, and that none withdraw themselves unnecessarily from any part of family worship, and that all refrain from their common business while the Scriptures are read and

gravely attend to the same, no less than when prayer or praise is offered up.

35. Let heads of families be careful to instruct their children and servants in the principles of religion. Every proper opportunity ought to be embraced for such instruction. The Sabbath evenings, after public worship, should be sacredly preserved for this purpose. Making unnecessary private visits on the Lord's day, admitting strangers into the families, except when necessity or charity requires it, or any other practices, whatever plausible pretenses may be offered in their favor, if they interfere with the above important and necessary duty, should be avoided.

Resolved: That this General Assembly expresses with deep regret its sorrow at the fact that family worship is not kept up as it should be, and that we urge upon our membership, through their ministers, the importance of the family altar. Adopted.—1883, p. 25.

## 22. Sanctification of the Lord's Day.

Directory for Worship, Sections 1-6.—It is the duty of every person to remember the Lord's day and to prepare for it before its approach. All worldly business should be so ordered and seasonably laid aside, as that no one may be hindered from sanctifying the Sabbath, as the Holy Scriptures require.

2. The entire day is to be kept holy to the Lord and to be employed in the public and private exercises of religion. Therefore, it is requisite that there be a holy resting, all the day, from unnecessary labors, and an abstaining from those recreations which may be lawful on other days; and also, as much as possible, from worldly thoughts and conversation.

3. Let the provisions for the support of the family on that day be so ordered that servants or others be not improperly detained from the public worship of God nor hindered from sanctifying the Sabbath.

4. Let every person and family, in the morning, by secret and private prayer, for themselves and others, especially for the assistance of God to their minister and for a blessing upon his ministry, by reading the Scriptures and by holy

meditation, prepare for communion with God in his public ordinances.

5. Let the people be careful to assemble at the appointed time; that, being all present at the beginning, they may unite with one heart in all the parts of public worship, and let none unnecessarily depart until after the benediction.

6. Let the time after the solemn services of the congregation in public are over be spent in reading, meditation, reading of sermons, catechising, religious conversation, prayer for a blessing upon the public ordinances, singing psalms, hymns, or spiritual songs, visiting the sick, relieving the poor, and in performing such like duties of piety, charity, and mercy.

### (1) How the Sabbath Should Be Spent.

The following was adopted:

1. That it is the duty of every Christian to observe and defend the Sabbath and to keep it holy by spending it in a way that will honor God and nourish and strengthen his own soul.

2. That Christians should not spend the day in social visiting and feasting.

3. That it is a sin and shame to spend the day in idleness or in frivolous pastime.

4. That parents should require their children to attend church and not turn them loose after Sabbath school to spend the remainder of the day as they please.

5. That Christians should not encourage Sunday newspapers by buying them, reading them, advertising in them, or in other way.

6. That Sunday trains and excursions are evils that no Christian should encourage.

7. That base-ball, picnics, and all similar amusements are gross and sinful desecrations of the Sabbath day.—1891, p. 36.

### (2) Church Members' Duty.

The following was adopted:

We do hereby call the attention of our entire membership to the necessity of the careful observance of the Christian

Sabbath, and so much the more as Rationalism, Infidelity and Romanism are combining their energies to destroy the sanctity of God's holy day, and substituting therefor a day of mere recreation and amusement.—1874, p. 28.

### **(3) Pastors Should Call the Attention of the People to This Subject.**

The following resolutions were adopted:

Resolved: That it is the sense of this General Assembly that it is the duty of all the preachers and pastors of the Cumberland Presbyterian Church to call the attention of their congregations frequently to the duty of a Scriptural observance of the Sabbath, setting forth what the requirement is, the blessings promised for a proper, and the curses that shall follow an improper, use hereof.

2. That hereafter, with other standing committees, there shall be appointed by the Moderator of the General Assembly a committee to be called the Committee on the Prevention of Sabbath Desecration, whose duty it shall be to consider and report upon the same as other standing committees and that Synods and Presbyteries are hereby requested to appoint a similar standing committee at each of their meetings.—1879, p. 28.

### **(4) Ministers Should Set a Good Example.**

The General Assembly decided that "if any member travel on the Sabbath day, in going to or returning from the Assembly, he be dealt with for an immorality."—1852, p. 31.

The following recommendation was adopted:

That your ministers be urged to set the example to their flocks and the community by rigidly observing this holy day; by discouraging the prevalent reading of secular papers on that day, and the insertion of church notices and services in the Sabbath issues of said papers, and by needless railroad travel, even to fill pupil engagements.—1884, p. 31.

### **(5) Sunday Mail and Sunday Trains.**

We have had before us a paper from the chairman of the Committee on Sabbath Observance, of the Southern Presby-



terian Church, asking your co-operation in calling the attention of the civil authorities to the "Sabbath question," "especially to the running of the railroad trains and the delivery of mail on the Lord's day." While we deplore the fact that trains are run and mail is delivered on the Sabbath, yet we do not see the consistency in invoking the civil power to check the evil, while our business men make the demand for handling and carrying freight, and while ministers and church members demand the running of trains and the delivery of mails on the Sabbath. We, therefore, recommend that this General Assembly insist upon the better observance of this day by all the members of the Church, to the end that a public sentiment may be cultivated in its favor, and that the chairman of the permanent Committee on Sabbath Observance be instructed to correspond with the chairman of a similar committee in the Southern Presbyterian Church, pledging the hearty co-operation of the Cumberland Presbyterian Church in any judicious movement looking to the better observance of the Sabbath. Adopted.—1882, p. 21.

That we deplore the fact that our government compels Sabbath desecration by its mail service, and that we think that church members should not go to the post office on the Sabbath or otherwise encourage Sunday mails. Adopted.—1891, p. 36.

**(6) The General Assembly Was Opposed to Opening Gates of Columbian Exposition on the Sabbath.**

That we are decidedly and unalterably opposed to the opening of any department of the Columbian Exposition on the Sabbath, and desire to put the Cumberland Presbyterian Church on record as opposing it. Adopted.—1891, p. 36.

Whereas, It has come to the knowledge of your Committee that the managers of the World's Columbian Exposition have determined to open the gates of the Exposition on next Sabbath day. Therefore your Committee hereby recommend that the Stated Clerk of this Assembly be directed to send at once a telegram to said managers pro-

testing against such opening of the gates. Adopted.—1893, p. 12.

### 23. Worldly Amusements.

Whereas, there is no specific law in the Discipline of this Church forbidding the members thereof attending fashionable balls and parties, theatres, circuses, and such places of worldly amusement for carnal indulgence of mere human merriment, gotten up and mainly sustained by those who are not connected with the evangelical Church; therefore

Resolved by this General Assembly: That in all such instances where members of our Church are known to attend such places for purposes of participating in them, they shall be held responsible to the Church session of the congregation where such member holds his or her membership, and that Church sessions are hereby instructed to adopt such rules in their respective congregations as may forbid such conduct. Adopted.—1852, p. 30.

The Assembly of 1852 adopted preambles and resolutions disapproving the practice of church members attending places of carnal amusements, advising Church sessions to adopt the most prudent and effective measures to lessen the evil. "Be not conformed to this world," is one of the precepts too frequently ignored by the practice of the professed disciples of Christ. Ministers and sessions might subserve the cause of practical godliness by calling the attention of their people to the advice of a previous Assembly to which reference has been made. Adopted.—1861, p. 15.

Whereas, the cause of Christ demands that the children of God should live soberly, as well as righteously and godly, in this world—cleansing themselves from all ungodliness and worldly lusts, and taking up their cross and following their Master in meek and holy living—thus by their walk and conversation letting their light shine and truly commending the religion of Christ to the confidence and acceptance of all men; therefore be it

Resolved by this General Assembly, as expressed by former Assemblies, that the practice of promiscuous dancing, as an amusement, by professed Christians, as well as attendance upon such places of amusement, is hereby de-

clared to be inconsistent with the Christian profession and the pure and sacred obligations of our holy religion, and that Presbyteries and Church sessions are advised that members persisting in such practice are proper subjects of Church discipline. Adopted.—1870, p. 31.

In response to the overture to this General Assembly from the Presbytery of Lebanon, the Committee beg leave to say that while former General Assemblies have expressed their condemnation of dancing, and this Assembly does think it best for Christians to take no part in the dance, yet we believe that we can, as a General Assembly, do no more than has been done, except to exhort all our members to refrain from the dance, and to leave all further questions about it to church sessions, to act in each particular case in such manner as the session in its discretion may deem proper, subject, of course, to the direction of its own Presbytery. Adopted.—1872, p. 15.

The following was adopted:

Your Committee have considered the memorial submitted to them, asking for a definition of the phrase “promiscuous dancing,” contained in a former deliverance of your reverend body, and while this is not strictly a matter of legal cognizance, we beg to say that in our opinion the expression referred to should be understood to mean mixed dancing, confused dancing, indiscriminate dancing, and dancing in which both sexes engage. In short, any dancing which cannot be conscientiously commended by an upright, consecrated member of the Cumberland Presbyterian Church.—1894, p. 43.

A memorial from Texas Synod has been referred to us, asking that a specific law be “incorporated in the Rules of Discipline,” forbidding “dancing, theatre-going, and card-playing.”

The Committee think that the matters complained of need not be expressed in a specific law, inasmuch as section three of the Church Covenant of the Confession of Faith, properly interpreted, includes such things; and since we believe them to be evil, and only evil, we recommend that this General Assembly declare its disapproval of such practices and urge

the ministers and church sessions to instruct and exhort the members to refrain from participating in these evils, which are altogether unprofitable and inconsistent with Christian character; and, whenever necessary, that discipline be exercised according to the Constitution of the Church. Adopted.—1895, p. 20.

#### 24. Deliverances on Temperance.

Unanimously resolved: That this General Assembly do most earnestly recommend that no minister of the gospel or ruling elder, or member of the Church shall engage in retailing ardent spirits or disposing of them in any other way. —1836, p. 268, MSS.

Resolved: That it is the sense of this General Assembly that to make, buy, or use as a beverage any spirituous or intoxicating liquors is an immorality; that it is not only unauthorized, but forbidden by the Word of God. We do, therefore, request the several churches under our care to abstain wholly from their use. Adopted.—1851, p. 13.

Resolved: That it is the sense of this General Assembly that it is a sin to make, buy, sell, give, or in any way use as a beverage, intoxicating drinks of any description.

Resolved: That in cases where church members persist in the violation of the principles herein stated the church sessions be urged to deal with such offenders and free the Church from the guilt and scandal of such unchristian conduct.

Resolved: That inasmuch as these evils of such immense magnitude can be successfully resisted only by associated effort, our ministers and members are advised to encourage temperance organizations wherever it is practicable.

Resolved: That we heartily approve the temperance legislation which has been had in several of the States recently, and we earnestly recommend our people to aid by all prudent means, the enforcement of temperance laws where they exist. Adopted.—1873, p. 19.

That we, as a Church, stand squarely and unequivocally in favor of prohibition, and hereby pledge ourselves to aid in every laudable enterprise that in any way looks to the over-

throw of the accursed liquor traffic, now licensed and protected by the general government and most of the States. Adopted.—1889, p. 35.

That you declare as the solemn conviction of this General Assembly that no man nor party which refuses or fails to assume an attitude of open and uncompromising hostility toward the liquor traffic should expect or receive the vote of any Christian citizen of this country. Approved.—1894, p. 52.

Your Committee on Temperance beg to submit the following:

Cumberland Presbyterians have never given out any uncertain sounds on this subject.

From Dan to Beersheba, wherever there is a fight on this great vital question, Cumberland Presbyterians have been found in the forefront of the battle.

Some people have tired and quit the field; but we would remind such faint-hearted people that there has been a contest between sin and evil ever since Cain slew Abel and asked: "Am I my brother's keeper?"

We are glad to see by the persistent efforts of God's people, assisted by his Holy Spirit, righteousness has prevailed and sin and wickedness have not overcome.

The one that quits the fight against this great sin has at least half way joined himself to the erring and is not the desirable citizen he ought to be.

We are glad to note that the sentiment against drinking liquor has increased. The one that goes into a saloon for a drink does not want his respectable friend to catch him there.

We further recommend that our preachers in their work be zealous and prudent in their efforts against the awful drink habit; also that our fathers and mothers teach their children to avoid the drink habit and to look upon it as their deadly enemy.

We, your Committee on Temperance, feel that all of this has always been important, but perhaps more so now than ever before on account of the strong prevailing soft drink

habit, and also the fearful tendency to resort to opiates for the easing of pain.

We feel that it is vital that we as a Church educate ourselves against these growing tendencies.—1913, p. 198.

### 25. Resolutions on the Use of Tobacco.

Resolved: That as the use of tobacco has grown to be a national evil and is seriously hurtful to ministerial influence and usefulness, this General Assembly counsels the ministers of the Cumberland Presbyterian Church against the use of tobacco in any form whatever; also, that this counsel be earnestly pressed upon the attention of the candidates for the ministry in all our Presbyteries.—1886, p. 30.

Resolved: That the Board of Education is hereby instructed to give no aid to any candidate for the ministry in securing an education who uses tobacco, and that it is the duty of the Board of Education to know, before aiding any student, that he does not use tobacco. Adopted.—1889, p. 51.

### 26. On the Preservation of the Union.

The following preamble and resolution were almost unanimously adopted:

Whereas, in the opinion of this Assembly the preservation of the union of the States is essential to the civil and religious liberty of the people, and it is regarded as proper and commendable in the Church, and more particularly in the branch which we represent (it having had its origin as a denomination within the limits of the United States of America and that soon after the blood of our revolutionary fathers had ceased to flow in that unequal contest through which they were successfully conducted by the strong arm of Jehovah) to express its devotion on all suitable occasions to the government of their choice; therefore be it

Resolved: That this General Assembly look with concern and disapprobation upon attempts from any quarter to dissolve the union and would regard the success of any such movement as exceedingly hazardous to the cause of religious as well as civil liberty. And this General Assembly would strongly recommend to all Christians to make it a subject of

prayer to Almighty God to avert from our beloved country a catastrophe so direful and disastrous.—1850, p. 13.

### (1) Deliverance on War Resolutions.

The following resolutions, offered by Dr. Milton Bird, were adopted:

Whereas, according to the plain teaching of our Confession of Faith, Synods and Councils are to handle and conclude nothing except that which is ecclesiastical and are not to interfere with the affairs of the commonwealth, etc.; and,

Whereas, our Civil Constitution wisely separates Church and State; and,

Whereas, it is of momentous interest to the Church to recognize, practically as well as in theory, the great truth taught by the Saviour—viz.: that his kingdom is not of this world; therefore be it

Resolved: 1. That this General Assembly is opposed to every movement, coming from any quarter, that looks to a union of Church and State.

2. That we are opposed to the prostitution of the pulpit, the religious press, or our ecclesiastical courts, to the accomplishment of political and sectional purposes.

3. That any expression of political sentiment, made by any judicatory of our Church, North, South, East, or West, is unnecessary, and no part of the legitimate business of an ecclesiastical court.

4. That nothing in the foregoing shall be construed as an expression of opinion upon slavery or rebellion.—1866, pp. 48, 49.

The following was adopted:

Whereas, the Assemblies of both the Old and New School Presbyterian Churches have set apart next Wednesday afternoon as a season of thanksgiving and prayer to God for our country, in compliance with the proclamation of the President; therefore be it

Resolved: That this Assembly join those bodies in observing Wednesday afternoon as a season of thanksgiving and prayer for our country.—1864, pp. 116, 117.

Whereas, this Assembly is composed of members repre-

senting a large proportion of the Cumberland Presbyterian Church in the United States of America, in token of our loyalty to the Federal government of the same; therefore be it

Resolved: That the Trustees of the Cumberland Presbyterian Church house in which we have met (Lebanon, Ohio) be requested to hoist the national flag over this house and keep the same there during the sittings of this Assembly. —1864, p. 108.

## (2) Assassination of President Lincoln.

A committee was appointed to prepare a paper expressing the sentiment of the General Assembly on the assassination of President Lincoln. The report of the Committee was unanimously adopted and is as follows:

Whereas, since the last meeting of the General Assembly of the Cumberland Presbyterian Church, the Chief Magistrate of the United States has been ruthlessly and barbarously murdered; and,

Whereas, it is deemed becoming and proper that this General Assembly, in common, probably, with all other bodies of similar character, assembling this season, should give expression of sentiment touching a matter of such transcendent importance to the welfare of this nation; therefore be it

Resolved: That in the death of President Lincoln the people of the United States have lost a wise, judicious, philanthropic, and noble Chief Executive, the friend of human freedom, an ardent and sincere co-laborer, the advocate of human progress and popular government, a true friend and faithful patron.

Resolved: That the crime of his assassination is truly damning: First, because he was guilty of no crime that could in any sense justify such an act; second, because it is a blow aimed at the stability of all human government.

Resolved: That we rejoice in the faith that the Almighty Ruler of the universe can overrule the wicked deeds of men and devils and cause their wrath to praise him, and the remainder of wrath he will restrain.



Resolved: That we tender our heartfelt sympathies and kind condolence to the bereaved citizens of the United States, the afflicted and mourning family of the deceased, and the sorrowing friends of humanity and moral progress throughout the world.—1865, pp. 169, 170.

### **(3) The Assembly and the European War.**

That the Cumberland Presbyterian Church, the one purely American Church, is a deeply patriotic body, is truly vouched for by these excerpts from the Assembly at Dallas, Tex., 1918:

“An hour was set apart, and a patriotic service was held, and stirring addresses were made.”—Minutes, 1918, p. 16.

“Two o'clock this afternoon was appointed a special hour for a memorial service in honor of Cumberland Presbyterian boys who have placed their lives upon the altar of their country.” With appropriate ceremonies, a large Service Flag was dedicated in honor of the thousands of our boys now in army service.—1918, pp. 17, 19.

### **(4) Report of the War-Work Committee.**

Your Committee on War Work, after duly considering the matter referred to them, would recommend that the General Assembly create a special War-Work Commission, composed of five members. That this commission is created with special reference to the needs of religious activity and gospel ministration in connection with the great European war; and this commission shall continue until the close of the war.—1918, p. 102.

(This commission was appointed, formed an organization, and at once began operations as the Cumberland Presbyterian War-Work Commission of the Cumberland Presbyterian Church, T. A. Havron, Secretary and Treasurer.—A. C. B.)

### **27. Enters Presbyterian Alliance.**

Council of the Alliance of the Reformed Churches holding the Presbyterian System met in Belfast June 26, 1884.

Extract of minute referring to application of Cumberland

Presbyterian Church to be admitted into membership:

“The Council, without approving of the Church’s revision of the Westminster Confession and of the Shorter Catechism, admit the Cumberland Presbyterian Church into the Alliance and invite the delegates now present to take their seats.”

See “Minutes and Proceedings,” pp. 134, 145, 161.

G. D. Mathews, Clerk of Council.

—1885, p. 108.

## 28. Deliverances of the General Assembly in Reference to the Roman Catholic Church.

Resolved: That in the opinion of this General Assembly, the papacy, as an organized body, is no part of the Church of Christ, but the “Man of Sin,” as named in the Bible.

Resolved: That the “Man of Sin,” or “mystery of iniquity,” is a well organized political power and opposed to liberty of all kinds, and especially to that of the soul, and the right to worship God according to the dictates of conscience. That in the opinion of this Assembly their institutions of learning of every kind are dangerous snares to Protestants and the children of the free; and the strength of their secret policy is to cast down our dear and lovely institutions, if not directly by gold, certainly by its price.

Resolved: That we do most earnestly recommend to our people and all Protestant families, liberally and religiously, to patronize institutions of learning under the control of those who know the worth of pure religion and the price of religious liberty. And, moreover, we warn all who love God, their families, their country, their homes, to do all they can to Christianize Catholics and to do them good, but to keep their sons and their daughters out of their institutions of learning, as from the snares of ruin, and to educate them in the schools of those who know what it is to breathe in the pure spirit of religious liberty. Adopted.—1845, pp. 352-355, MSS.

Resolved: 1. That the providences of the Great Head of the Church seem, at the present time as never before, to be demanding of the Church a special regard, both in their

prayers and efforts, for the thousands of the deluded followers of the "Man of Sin," now in our midst.

2. That it is the decided opinion of this General Assembly that no incidental or indirect effort will ever accomplish the evangelization of this class.

3. That we, therefore, hail with increased delight the organization of the American and Foreign Christian Union, so catholic in its character, so noble and Christlike in its designs, so well adapted in the modes of its operations to reach this class, and whose success has been so significant and blessed.

4. That the remarkable success of the American and Foreign Christian Union in gaining access already to thousands of our Romish citizens should rebuke the unbelief of the Church in regard to the conversion of Roman Catholics and inspire it with new faith and hope in the promises of God and with stronger desires to bear a part in the great work of saving the lost. Adopted.—1854, p. 56. (See 1855, pp. 36, 37; 1870, p. 31; 1874, p. 31.)

The memorial of Porter Presbytery, asking that our Church declare itself opposed to the extension of government aid to sectarian schools, was before your Committee; and, after due consideration thereof, we recommend that the following be adopted as a declaration of the policy of our Church—viz.: That one of the fundamental principles upon which the government of the United States, and of the several States, was founded, was that Church and State should be separate and remain so. Our Church has at all times believed in said principle. We believe this principle is violated whenever either national, state, or municipal governments extend to any sectarian school financial aid, and that such financial aid tends to bring about a union of Church and State. We, therefore, hereby place our Church on record as opposed to the government—national, state, or municipal—extending any financial aid to any sectarian school. Adopted.—1895, p. 21.



# V. JUDICIARY

## I. THE LAW STATED.

Rules of Discipline, Sections 80-95.—An appeal is the removal of a cause, already decided, from an inferior to a superior court, the effect of which is to arrest sentence until the matter is finally decided. It is allowable, after judgment, to either of the parties to the proceedings, but those who have not submitted to a regular trial are not entitled to appeal.

81. Any irregularity in the proceedings of the inferior court, a refusal of reasonable indulgence to either party, declining to receive important testimony, hurrying to a decision before the testimony is fully taken, a manifestation of prejudice in the cause, and mistake or injustice in the judgment, are all proper grounds of appeal.

82. Every appellant must give notice of his intention to appeal, and the reasons therefor, in writing, to the court before its adjournment, or within ten days thereafter to the Moderator or Clerk.

83. No appeal shall be carried from an inferior to any other court than the one immediately superior.

84. In considering an appeal, the following order shall be observed: 1. Ascertaining whether the appellant has conducted it regularly; 2. To read record of the cause; 3. To hear the parties, first the appellant, then the appellee, the appellant then to close; 4. To call the roll, that the members may express their opinion in the cause; and, 5. The vote shall be taken. The decision may be either to confirm or reverse, in whole or in part, the judgment of the inferior court; or to remit the cause for the purpose of amending the record, should it appear to be incorrect or defective, or for a new trial.

85. If an appellant fails to prosecute his appeal, it shall be regarded as abandoned, and the judgment appealed from shall be final; and he shall be considered as abandoning his appeal, if it be not presented to the appellate court during the next stated meeting thereof, unless such failure be without fault on his part.

86. If an appellant manifest a litigious or other unchristian spirit in the prosecution of his appeal, he shall be censured according to the degree of his offense.

87. If the infliction of the sentence of suspension, excommunication, or deposition, be arrested by appeal, the judgment appealed from shall, nevertheless, be considered as in force until the appeal shall be decided.

88. If any court shall neglect to send up the record of the cause to the stated meeting of the appellate court next after the appeal is

taken, it shall be censured according to the circumstances of the case, and the judgment appealed from shall be suspended until the record be produced.

#### Complaints.

89. A complaint is a representation made to a superior court against an inferior court. Any member of the Church, submitting to its authority, may complain against every kind of decision, except where an appeal has been taken. A complaint shall not suspend, while pending the effect of the decision of which the complaint is made. Notice of complaint shall be given in the same time and manner as notice of appeal.

90. The superior court has discretionary power either to annul any portion or the whole decision complained of, or to send it back to the inferior court with instructions for a new hearing.

91. The court against which complaint is made shall send up its records in the case and be subject to the same censure for failing to do so, as is prescribed in case of appeal.

#### Dissents and Protests.

92. A dissent is a declaration by one or more members of a minority of a court, expressing a different opinion from that of the majority, as to a particular matter. A dissent, unaccompanied with reasons, shall be entered on the records of the court.

93. A protest is a more solemn and formal declaration by a minority against the action of the majority, and is generally accompanied with the reasons upon which it is founded.

94. If a protest or dissent be couched in temperate language, and be respectful to the court, it shall be recorded; and the court may put an answer thereto on its records.

95. The higher court shall take cognizance of and render its judgment on all protests appearing upon the records passing under its review.

Rules of Discipline, Section 67.—Every decision made by any Church court, except the highest, is subject to the review of a superior court and may be brought before it by general review and control, reference, appeal, or complaint.

(Note.—Often there has been a lack of discrimination between an appeal and a complaint. Frequently an “appeal,” so-called, has been taken when, legally, only a “complaint” could be made; and occasionally a “complaint,” so-called, has been prosecuted, when legally it amounted to an “appeal.” The General Assembly has not been technical in its application of the law to such cases. The spirit rather than the letter of the law has been followed.)

#### 1. No Change of Venue Permitted.

The first question propounded by the Tehuacana Presbytery is: “Is there any provision in our Form of Government for a change of venue

when the accused has reason to believe that, owing to prejudice or some other cause, he cannot obtain justice from the judicature by which he is to be judged?"

The second question is: "If there is no such provision either in our Form of Government, or by a deliverance of a former Assembly; and, if the similarity between the Form of Government of our Church and the universally adopted civil code does not imply such a provision, we most respectfully memorialize your reverend body to make a deliverance providing for such change of venue."

We are of the opinion that an expression by your reverend body of the right or necessity of such change of venue in the trial of a minister of the gospel, would give to the world a hurtful want of confidence in the character and integrity of the ministers and elders of our denomination, and that such expression would open a wide door for designing and bad men to elude the just censures of the Church, and to disregard the wholesome restraints of discipline.

The sanction of such interpretations of law by your reverend body would, in our opinion, be a departure from the usages of Presbyterianism in all the past history of the Church.

We, therefore, recommend that you answer the interrogatory of the memorialists in the negative.—1875, pp. 30-33.

## 2. Appeals Must Be Regularly Brought.

An appeal of T. J. Simpson, in behalf of himself and the Allegheny Presbytery, complaining of aggrievance in a decision of Pennsylvania Synod, whereby a judicial decision of the First Cumberland Presbyterian Church in Allegheny City, confirmed by the Allegheny Presbytery, was reversed.

Your committee think that the aggrievance complained of is wholly of a constitutional nature, and we are of the opinion that the Synod had in fact no legitimate jurisdiction of the case, from the consideration that the action of the Presbytery was not brought regularly before them. Adopted.—1852, p. 30.

Your committee find that questions coming from a lower to a higher court must come "by general review and control, reference, appeal, or complaint." They are of the opinion that the paper in this case comes under neither; and is, therefore, not properly before this body. Adopted.—1884, p. 19.

Your committee is unanimously of the opinion that the General Assembly cannot take cognizance of the matters presented upon the application of private persons; but that such questions must come from some inferior judicatory, either by appeal or reference. Adopted.—1874, p. 17.

The Judiciary Committee have before them, and have considered, certain interrogatives propounded by the Rev. J. M. Ragan, of Chillicothe Presbytery, to that body, and by the Presbytery referred to

this General Assembly; and a deliverance thereon is asked. It does not appear from any paper before this committee or otherwise that any case involving the questions proposed has arisen, but that the questions are asked with reference to a future possible state of things.

The committee do not think it would be the duty of this body to express itself in advance upon matters on which it may be required to sit as a court hereafter or to give its opinion upon questions which may never arise. "Sufficient unto the day is the evil thereof." We therefore recommend that the General Assembly respectfully decline to respond to the said interrogatives. Adopted.—1890, p. 16.

In the matter of Rev. C. H. Lincoln against Pennsylvania Synod the Judiciary Committee reports as follows:

Our Book requires that in cases of appeal notice shall be given in writing to the Clerk or Moderator, stating the grounds on which the appeal is based, and this must be done during the sitting of the court, or within ten days after adjournment.

In the case before us notice was given within the time required, but the reasons for the appeal were not set forth.

Our Book also requires that in considering appeals it is the duty of the appellate court first to determine whether the case has been properly and lawfully brought up.

In view of the plain requirements of our law, the committee report that the case is not regularly before this tribunal and recommend that it be dismissed. Adopted.—1896, pp. 33,34.

### 3. An Appeal Stays Action until the Higher Court Passes upon It.

Rules of Discipline, Sections 80, 87.—The effect of an appeal is to arrest sentence until the matter is finally decided.

87. If the infliction of the sentence of suspension, excommunication, or deposition be arrested by appeal, the judgment appealed from shall, nevertheless, be considered as in force until the appeal shall be decided.

"When an appeal is taken and filed before a Church court from an action or decision of said court, does such appeal stay further action in the court until the question is decided by the higher court?"

The committee unanimously decide that it does stay further action until a decision is made by the superior court. This the Assembly adopted.—1866, p. 51.

### 4. Notice of and Reasons for an Appeal Must Be Given.

In this case it appears that the Synod (Iowa) dismissed an appeal taken by Rev. Cyrus Haynes from a decision of the Presbytery of Des Moines, which appeal was dismissed on the ground that the appellant did not present to the Presbytery his reasons for the appeal.

We therefore recommend that you affirm the decision of the Synod and dismiss the appeal. Adopted.—1862, p. 62.



### 5. Right of Appeal Neutral.

Whereas, the appellate jurisdiction of the higher over the lower judicatures, recognized in our Form of Government and Discipline, as in Form of Government, chapter 9, section 5; chapter 10, section 3; chapter 11, section 4; and in Forms of Process, chapter 1, section 12, is obviously designed to secure the greatest possible freedom from error and impurity in the administration of government and discipline, by opening the way to remove the final decision of the case from the influence of any real or supposed undue local bias, and obtaining judgment formed on the documentary evidence alone. And this appellate jurisdiction based in the reason that there may be a greater liability to erroneous judgment in the court appealed from than in that appealed to, and the liability to err in deciding for the prosecution being no greater than that of deciding against it;

Therefore, in view of this fact, and established precedents in the administration of ecclesiastical law under Presbyterian government, and in view of certain questions which have arisen, or may hereafter arise, touching the right of appeal:

Resolved: 1. That it be and is hereby declared the plain and unequivocal sense of this General Assembly that the reason, standing in the foreground of the principle of appeal, is such as makes the right of appeal mutual in regard to prosecutor and defendant, the principle being right, and it being the very nature of a just principle to be reciprocal in its operation. And, moreover, it is such as gives to the minority of a judicature the right to appeal from the sentence of the majority in cases in which process is not entered by an individual but the judicature on the ground of common fame.

2. That each Session, Presbytery, and Synod, of which the General Assembly is the bond of union and correspondence, has constitutional rights equal to every other Session, Presbytery, and Synod.

3. That in the exercise of these rights by any one Session, Presbytery, or Synod there is and can be no infringement of the constitutional rights of any other Session, Presbytery, or Synod.

4. That no Session, Presbytery, or Synod can set aside either directly or indirectly the official acts of any other Session, Presbytery, or Synod, each being equal in rights.—1849, pp. 24-26.

### 6. Power to Revive an Appeal.

Whereas, Rev. John A. Dewoody comes before this Assembly praying that his appeal from the Columbia Synod be revived; therefore be it

Resolved: That his request be granted and that Columbia Synod be and is hereby notified of the fact. Adopted.—1849, p. 28.

### 7. New Witnesses Introduced.

Rules of Discipline, Section 15.—When charges are brought before a Church court nothing shall be done at that meeting, unless by con-

sent of the parties, except to appoint a prosecutor and order the charges reduced to writing, if not already done; a copy of which, with the witnesses then known to support them, shall be served on the accused and to cite all parties and their witnesses to appear and be heard at another meeting, which shall not be sooner than ten days after citation.

Can the judicatory admit, on the day of trial, any new witnesses to support the charges?

Answer.—Either party may introduce witnesses whose names may not have been before furnished, the judicatory taking care that no injustice result therefrom; but by postponement of the trial, or otherwise, allow either party full opportunity to introduce rebutting testimony. Adopted.—1871, p. 29.

### 8. What if the Accused Refused to Appear?

Rules of Discipline, Sections 33, 38.—If an accused person fails to appear before the Church Session, after being twice duly cited, or shall refuse to plead, the fact and the nature of the offense charged shall be entered upon the records and the accused suspended for his contumacy. This sentence may be made public and shall not be removed until he has repented of his contumacy and given satisfaction in relation to the charges against him. If the charge be one of gross crime or heresy, the court may proceed to inflict the highest censure if the accused persist in his contumacy.

38. If an accused minister, having been twice duly cited, refuse to appear before the Presbytery, he shall be suspended; and if, after another citation, he still refuse to attend, he shall be deposed as contumacious and suspended or excommunicated from the communion of the Church. Record must be made of the judgment, of the charges, and of the sentence, and the same shall be made public.

If the accused fails or refuses to attend, can the judicatory hear and decide the case in his absence, after due citation?

Answer.—They can. Adopted.—1871, p. 29.

### 9. Accused Called upon to Say Whether He Is Guilty.

Rules of Discipline, Section 15.—At this second meeting of the court, the charges shall be read to the accused, if present, and he shall be called upon to say whether he is guilty or not. If he confesses, the court may deal with him according to its discretion; if he pleads and takes issue, the trial shall proceed. Accused parties may plead in writing when they cannot be present, and parties necessarily absent should have counsel assigned to them.

## II. THE LAW APPLIED.

(Note.—The General Assembly, being the highest tribunal of the Church, and the court of last resort, stands to review, commend, ap-

prove, rebuke, or redress all matters of complaint or injustice coming up orderly from the lower courts. This court of last appeal is considered by the Constitution and Rules of Discipline as being set equally for the defense of the corporation and the individual, and has religiously sought to "show justice to each and partiality to none." The Assembly has frequently shown in the deliverances of the past that wisdom which comes from a multitude in counsel, as well as that tenacity for justice to the individual which goes to the stake rather than yield a principle. The many must not oppress the few nor take undue advantage of the rights of majority; neither must the few and weak, out of pure sentiment, be allowed to continue to disturb the many. Out of the many judicial deliverances sent down by the General Assembly, I have selected the following as clearly interpreting the law of the Church in the various cases:

1. The memorial of a minister who has been deposed. 2. A heresy case makes appeal. 3. A minister's appeal sustained and action of Synod reversed. 4. Memorial to re-open question of woman ordination refused.—A. C. B.)

### 1. The Memorial of Rev. Harrison Whitson.

Your committee have attended to the business assigned them and ask leave to report that they have had before them a memorial from Harrison Whitson, of the Colorado Presbytery, in which he complains that he had been tried on certain charges and deposed from the gospel ministry contrary to the laws and regulations of our Church. By reference to the Assembly's minutes for 1851, it will be seen that the doings of the Colorado Presbytery were thought to be defective in this case by the Brazos Synod, and it remanded the business back to the Presbytery for a reconsideration. The Presbytery appealed from the action of the Synod to the General Assembly, where the action of the latter was reversed and that of the former approved and confirmed. The appellant claims that he had no knowledge that the Presbytery had referred the matter in dispute between him and the Synod to the Assembly, until his condemnation was sealed. He moreover complains that he was cited to appear before the Presbytery for trial and it failed to meet at the time; but, at a meeting several months after, it met and deposed him without either his presence or knowledge, and that by no effort has he been able to obtain a copy of the proceedings in the case. Your committee are persuaded that the proceedings of the Colorado Presbytery in this case were defective, from the fact that the Synod disapproved thereof and ordered a new trial for reasons which to them appeared good. This, taken in connection with what the memorialist sets forth, makes it the more manifest that the Presbytery erred in this affair. Adopted.—1853, pp. 50, 51.

## 2. The Appeal of Mrs. Louisa A. Ward.

The Judiciary Committee, to which was referred the case of Mrs. Louisa A. Ward, report the following:

Mrs. Ward was charged with heresy before the Session of the Cumberland Presbyterian Church of Kansas City, Mo., and was found guilty and was excommunicated. She appealed to the Presbytery, it being the Lexington Presbytery of said Church, which body affirmed the judgment of the Session.

From the Presbytery she appealed to the Missouri Synod, and there the judgment of the Presbytery was affirmed.

She now appeals to this General Assembly from the action of the Synod.

It appears that the specification of heresy in the charge consists in the fact that the appellant stated to divers persons and taught that one George J. Schweinfurth, a man living in Rockford, Ill., is the Lord Jesus Christ.

The record shows that the appellant admitted the truth of the charge in the presence of the Session and persists in asserting the statement.

The committee have carefully examined the record and find that the law of the Church has been substantially complied with by all of the Church courts which have had the case before them, and therefore recommend that the judgment of the Missouri Synod be in all things affirmed. Adopted.—1890, p. 16.

## 3. The Appeal of Rev. D. T. Waynick.

The Assembly adopted the following report:

The Committee on Judiciary, to whom was referred the appeal of Rev. D. T. Waynick against the action of the Synod of Tennessee, have considered the same and respectfully report:

We find the following to be the facts giving rise to this controversy:

At the spring meeting, March, 1889, of Memphis Presbytery, a communication was presented from a member of the First Cumberland Presbyterian Church, Memphis, addressed to the Presbytery, the reading of which was commenced, without objection; and when the first page thereof had been read an objection was made to the paper, upon the ground that it was not in order, and thereupon the Moderator declared the paper out of order, the reading ceased, and no further notice of the paper was taken.

Against this action of the Moderator, Brother Waynick entered a protest.

At the next meeting of the Presbytery, September, 1889, an answer to said protest was entered upon the minutes of said Presbytery.

At the meeting of the Synod of Tennessee, October, 1889, the action of the Moderator and of the Presbytery, in making answer to the protest, was sustained by the Synod, and from this action Brother Waynick presented an appeal to the General Assembly.

The first question presented for consideration is: Was the action of the Moderator correct in ruling that said communication was out of order?

The reasons for this ruling, as stated in the answer to the protest, are:

1. Said paper was not a communication addressed to the Memphis Presbytery, but in an envelope addressed personally to a member of the same.

Although inclosed in an envelope addressed to a member, the paper, as already stated, was addressed to the Presbytery in proper form.

2. It purported to be a memorial from a member of the First Cumberland Presbyterian Church, Memphis, but was sent without the knowledge of its Church session or any notice having been given them of such intended action.

We are not aware of any rule requiring such notice and are of the opinion that none was necessary.

3. Said paper was not regularly brought before the Presbytery, as stated in the protest, but was placed upon the clerk's table during his absence and without his knowledge as to how it came there.

We do not think this point is well taken. The Clerk made no objection, but recognized the paper as properly in his possession, and the reading of the same was commenced by a member at his request.

4. No appeal was taken at the time from the ruling of the Moderator.

We are of the opinion that the question could be properly presented to the Synod by protest, and that while an appeal might have been taken, it was not necessary to do so in order to give the Synod jurisdiction, as this could be done by entering a protest, as was done in this case.

The paper in question, so far as the same was read, showed it to be a communication, addressed to the Presbytery, representing that "the undersigned" was a member of the First Cumberland Presbyterian Church, Memphis; that he came before the Presbytery seeking justice; that he had been served with a copy of a preamble and resolution adopted by the Church Session of said Church, in which he was accused of grave delinquencies as a member and officer of said Church.

When so much of said paper had been read, some member objected to it as out of order, and the Moderator so ruled. The remaining portion of the paper was not read, so that the Presbytery might see what action had been taken by the Church Session, if any, nor what the author desired the Presbytery to do.

The paper is respectful throughout; and, if the reading had proceeded, it would have appeared that it asked the Presbytery, in courteous terms, to order the Church Session to take action upon the charges, the truth of which he denied, seven months having elapsed,

and nothing having been done by the Church Session to bring the matter to an issue.

We are of opinion that the communication presented proper matter for the consideration of the Presbytery, that it was neither irrelevant nor otherwise out of order, and that, therefore, the ruling of the Moderator complained of was erroneous.

It is proper to say that it appears, from the action of the Synod, that all the facts in the case were not before that body, and, in reporting, as we do, that the Synod was in error in sustaining said ruling, this explanation is made in justice to that court.

The next question presented for consideration is: Was it proper for the Presbytery, at a subsequent meeting and in the absence of the protestant, to enter upon its minutes an answer to the protest?

The General Assembly has decided (See Minutes, 1886, p. 43) that a member of a Church Session could not, at a subsequent meeting, protest against the action of the Church Session had at a meeting at which he was not present. We should hold otherwise but for that decision. Yielding to its authority and being of opinion that the right to put an answer on the record to a protest stands upon the same ground as the right to protest, that the reason for the decision just stated applies with much greater force to the higher courts than to the Church Session, we report that it was an error in the Synod to sustain the Presbytery on this point.

Upon the whole case, we are of opinion that the appeal should be sustained and the action of the Synod reversed.—1890, pp. 18, 19.

#### 4. The Case of Mrs. L. M. Woosley.

(The origin and course of this case is clearly set forth in the records of the various judicatures through which it passed to its final adjudication and is briefly summed up as follows:

“In 1889 Nolin Presbytery ordained Mrs. L. M. Woosley to the full work of the gospel ministry.

“In 1890 Kentucky Synod adjudged that there was no authority, either in the Confession of Faith or the Holy Scriptures, for the ordination of a woman to the work of the gospel ministry, and further declared that the Nolin Presbytery had no authority to ordain Mrs. L. M. Woosley to the gospel ministry.

“In 1893 Nolin Presbytery elected Mrs. L. M. Woosley an alternate commissioner to this (1894) Assembly, on the part of the ministry.

“In 1893 Kentucky Synod, in its meeting in October, after the meeting in August, in which Nolin Presbytery had elected Mrs. Woosley a commissioner, reaffirmed its former deliverances and declared her election null and void, and directed Nolin Presbytery to retire her name from its list of ministers.

“In 1894 Mrs. Woosley appeared before the Assembly with an appeal from the decision of Kentucky Synod, with the following result:

'That the appeal of Mrs. Woosley be dismissed; that the action of Kentucky Synod be ratified and affirmed; that the memorial of Nolin Presbytery be not granted; and that Mrs. L. M. Woosley be not seated as a commissioner of this General Assembly, for the reason that she is not a regularly ordained minister of the Cumberland Presbyterian Church.'—1894, pp. 22. 23.)

### Memorial to Reopen the Case.

The Nolin Presbytery memorialized the General Assembly (of 1895) to reopen the case. After due consideration the Assembly answered as below:

This question came before the General Assembly of 1894, upon the memorial of Nolin Presbytery and the appeal of Mrs. Woosley, and was adjudicated by that body upon the record submitted and was there impleaded by representatives of the parties, thus waiving all right to question the General Assembly's want of jurisdiction. That General Assembly took jurisdiction of the case, upon the application of these parties as above stated, and, after full hearing, gave it final issue by refusing Mrs. Woosley a seat in the General Assembly as commissioner from Nolin Presbytery, and by affirming the order of Kentucky Synod upon Nolin Presbytery to retire her name from its roll of ministers on the ground of the invalidity of Mrs. Woosley's ordination as a minister in the Cumberland Presbyterian Church. Your committeemen submit that a fundamental condition of the seeking of any kind of relief in the courts of our Church is first submitting to the authority of the Church as expressed in our written law and the injunctions of competent judicatories. "Those who have not submitted to a regular trial are not entitled to appeal."—Discipline, article 80. "Any member of the Church, submitting to its authority, may complain against every kind of decision except where an appeal has been taken."—Discipline, article 89. The Constitution, article 4, describes Church members as those "submitting to a certain form of government." In article 31 it empowers the Presbytery to "see that the injunctions of the higher courts are obeyed"; and in article 37 it directs the Synod "to take effectual care that the Presbyteries observe the government of the Church and that they obey the injunctions of the higher courts." Under General Review and Control, Discipline, article 69, it is made a matter of examination "whether the injunctions of the superior courts have been obeyed." Article 84, Rules of Discipline, "In considering an appeal, the following order shall be observed: 1. Ascertaining whether the appellant has conducted it regularly." The regularity of an appeal involves submission to a regular trial. The regularity of any other form of prayer for relief certainly cannot involve less than the same obedience. On the face of the case before us, the Nolin Presbytery has utterly refused to obey the injunctions of the courts in this very case

in hand, and therefore the said Presbytery is rendered ineligible to ask legal redress; and therefore the memorial should be dismissed.

We submit, secondly, that no provision is made in our law for one General Assembly to reopen a case adjudicated by a former General Assembly. Rules of Discipline, Article 67: "Every decision made by any Church court, except the highest, is subject to the review of a superior court." "A case being once judicially decided by our General Assembly, the decision is final." . . . All recognize that there must be an end of litigation. There is no better place to end it than where our Constitution prescribes that it shall end. Therefore, for this reason also, the memorial should be dismissed. And we recommend that said memorial of Nolin Presbytery be, and is hereby dismissed."—1895, pp. 36, 37.



## VI. AGENCIES OF THE GENERAL ASSEMBLY

### I. THE GENERAL ASSEMBLY'S BOARD OF TRUSTEES.

#### (a) The Original Board.

Resolved: That F. R. Cossitt, F. C. Usher, J. G. Biddle, A. Harpending, William McGowan, J. H. Rackerby, W. P. Fowler, and P. B. McGoodwin be, and hereby are, appointed a committee to act as a Board of Trustees, until a board is incorporated, or the General Assembly shall make other arrangements and other disposition of the funds, and to attend to other duties assigned them by this Assembly—viz.:

This committee is instructed to apply to eminent legal counsel and procure the draft of a contract between the General Assembly of this Church and the Cumberland College Association, securing the rights of either party, and binding each in such a manner as will effectually secure forever all funds to be collected for the benefit of the Cumberland Presbyterian Church and according to the objects of this General Assembly, and present the same to the next General Assembly for final action and consummation. Adopted.—1840, pp. 561-563, MSS.

Resolved: That this Assembly does hereby accept and confirm, in all its parts, an act of the Legislature of Kentucky at its last session, on the 16th of February, 1841, designated "An Act to Amend an Act Entitled an Act to Amend the Charter of Cumberland College, and for Other Purposes," approved 16th of February, 1838, and that said Act, together with the contract with Cumberland College Association, be recorded on the Minutes of this General Assembly.—1841.

#### (b) Legal Successors in 1841.

Resolved: That F. R. Cossitt, F. C. Usher, J. G. Biddle, A. H. Dudley, Thomas Hunter, T. L. McNairy, William McGowan, and J. H. Rackerby, of Princeton, Ky., with F. E. McLean, of Elkton, Ky., A. Harpending, of Christian County, Ky., Robert Donnell, of Alabama, Finis Ewing, of Missouri, and John Morgan, of Pennsylvania, are hereby elected and appointed a Board of Trustees for this General Assembly for the purposes specified in the above act of the Legislature of Kentucky. Adopted.—1841, pp. 669-671, MSS.

Resolved: That all persons, bodies corporate, or legislative bodies, desirous of bequeathing or donating any money or other valuable property to the Cumberland Presbyterian Church, be requested to

make it to the General Assembly's Board of Trustees for Cumberland College. Adopted.—1841, pp. 675, 676, MSS.

As regards the report of your Board of Trustees and that of the committee which audited their books, which were referred to us, we recommend:

1. That you comply with the request of the Board of Trustees of this Assembly by accepting their resignation, and that you at once elect an equal number of trustees to succeed them. That the Board of Trustees that have resigned be directed to deliver to their successors all money, funds, property, and rights of every kind.

2. That you commend the Board for their diligence and faithfulness in holding in trust this fund, especially the Rev. J. M. Gill, D.D., the President and Secretary, who has been a member of said Board for thirty-five years, and under whose influence this fund was placed at your disposal. Adopted.—1898, p. 64.

In pursuance of the recommendation contained in the above report, the Moderator appointed the following committee to nominate members of the Board of Trustees of the Assembly: Revs. J. S. Grider, J. E. Clarke, and Elder W. L. Atkinson.—1898, p. 64.

The special committee appointed to nominate members of the Assembly's new Board of Trustees, submitted the following report, whereupon the Stated Clerk of the Assembly was ordered to cast the ballot of the body for the persons thus designated, which he proceeded to do in the presence of the Assembly, and then the Moderator declared that the persons so named had been duly elected to constitute the General Assembly's new Board of Trustees, and Dr. J. O. Carson, of Bowling Green, Ky., was authorized and directed to call the new Board together for its proper organization.

Your committee, appointed to nominate a Board of Trustees for the General Assembly, respectfully suggest the following named gentlemen:

**(c) Legal Successors in 1898.**

Luther R. Porter, Bowling Green, Ky.; Dr. J. O. Carson, Bowling Green, Ky.; R. C. Posey, Bowling Green, Ky.; W. F. Ennis, Bowling Green, Ky.; W. E. Settle, Bowling Green, Ky.; H. E. Jenkins, Bowling Green, Ky.; E. G. Wilcoxson, Smiths Grove, Ky.; J. R. Kirby, Smiths Grove, Ky.; J. W. Potter, Rich Pond, Ky.; L. H. Skiles, Rich Pond, Ky.; H. P. McCormick, Auburn, Ky.; Dr. T. O. Helm, Auburn, Ky.—1898, pp. 81, 82.

**(d) Legal Successors in 1907.**

The special committee on Board of Trustees offered the following report, which was adopted:

Your committee appointed to consider the matter of the Board of Trustees of the General Assembly of the Cumberland Presbyterian Church beg leave to make the following report:

The Board of Trustees of the Cumberland Presbyterian Church was

regularly chartered in the year 1854, on the 8th day of March, by the General Assembly of the Commonwealth of the State of Kentucky, which said Charter is here referred to and made a part of this report. Reference is also made to Biddle's Digest, pp. 207-210, where a verbatim copy of that charter is found. Said charter amply provides and empowers the General Assembly to fill all vacancies created by death, resignation, or in any other manner; but specifically provides: "That should the time ever come when any religious body claiming to be the successor of the present General Assembly of said Church, and should hold and maintain doctrines and sentiments different from those now held by said Church, then the powers and privileges granted to the General Assembly of said Church shall inure to and be vested in that body of people professing and preaching the doctrines of the said Church as now set forth in her Confession of Faith." (See Charter, Sec. 13.)

Now, whereas the trustees heretofore elected under the provisions of said Charter, and now acting, have transferred their allegiance to another and different denomination, holding and teaching doctrines and sentiments different from the Confession of Faith and other doctrines of the Cumberland Presbyterian Church, and are attempting to transfer all the property held by them in trust for the use and benefit of the Cumberland Presbyterian Church, to said other and different denomination which holds and maintains doctrines and sentiments different from those of the Cumberland Presbyterian Church, and said trustees have thereby violated said trust and forfeited their right to hold and remain as officers and members of said Board of Trustees. We therefore recommend that this General Assembly, by the authority vested in it, declare the position of all of said members of said Board of Trustees vacant, and that this General Assembly proceed to fill said vacancies.

We further recommend that the following be elected to compose the Board of Trustees of the General Assembly of the Cumberland Presbyterian Church—to-wit: The following names are proposed as suitable persons to constitute the Board of Trustees of the General Assembly of the Cumberland Presbyterian Church: Dr. T. W. Stone, Bowling Green, Ky.; Dr. J. F. Hendrick, Bowling Green, Ky.; W. J. Denhardt, Bowling Green, Ky.; Judge Charles Drake, Bowling Green, Ky.; Joe D. Smith, Bowling Green, Ky.; C. W. Stone, Bowling Green, Ky.; E. W. Beck, Bowling Green, Ky.; M. R. Graham, Bowling Green, Ky., R. F. D., No. 1; L. J. Miller, Bowling Green, Ky.; Thomas W. Lewis, Bowling Green, Ky.; H. H. Denhardt, Bowling Green, Ky. Adopted.—1907, pp. 29, 30.

#### **The Charter of the Board, as Amended in 1912.**

(Acts of Kentucky, 1853-4, Vol. 2.)

An act to amend the charter of Cumberland College and to incor-

porate the Trustees of the General Assembly of the Cumberland Presbyterian Church:

Whereas, an act to amend an act, entitled "an act to amend the charter of Cumberland College, and for other purposes," approved February 16, 1841, was passed for the benefit of "Cumberland College Association" and the General Assembly of the Cumberland Presbyterian Church, by which act the entire control and management of said College was given up to said General Assembly; and, whereas, by said act of the Board of Trustees of said college and General Assembly were made; and, whereas, said General Assembly has dissolved its connection with said college; and, whereas, the Board of Trustees of said college and said General Assembly are two separate and distinct bodies, although acting under the same charter; and, whereas much difficulty has been experienced by said Board of said General Assembly by reason of deficiencies in their said charter—in collecting donations, bequests, and other charities given to said Church; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky: 1. That George D. McLean, Will H. Miller, Silas N. Davis, T. J. Duncan, M. Dudley, Thomas Hunter, John P. Rascoe, H. W. Champion, R. H. Lander, Reuben O'Hara, William H. Barnett, J. H. Miller, and their successors, shall be, and they are hereby, declared and constituted a body corporate and politic by the name and style of the Trustees of the General Assembly of the Cumberland Presbyterian Church, and by that name and style shall sue and be sued, plead and be impleaded, and possess all the powers and rights of a corporate body, and shall continue in office until the annual session of said General Assembly in 1856, and until their successors are duly elected and qualified according to law.

2. That the Board of Trustees of the General Assembly of said Church shall have full power and authority to receive for said General Assembly any donation, bequest, or other charities which may be or have been hitherto made to said Church, or to said General Assembly, or to said Board for the use and benefit of said Church or Assembly, for educational, religious, or charitable purposes, and to use and dispose of same under the direction of the said Assembly.

3. That all money, donations, bequests, charities, and estates of every description, which may be vested in said Board of Trustees, by virtue of their office, shall be held and expended for the use of the Cumberland Presbyterian Church, and shall be devoted to religious, charitable, or other educational purposes, as the General Assembly may from time to time direct.

4. That said General Assembly shall be empowered to elect her said trustees at her regular and stated meetings, any five of whom, assembled at a regular meeting, or by a constitutional call, shall constitute a quorum to do business.

5. That said Board of Trustees may appoint an Executive Com-

mittee, to consist of the secretary, treasurer, and three other members, to manage the fiscal concerns of said Board, any three of whom shall constitute a quorum to do business.

6. That said Board of Trustees shall meet annually, on the fourth Monday in June, in each year, at which time they shall elect a President, Vice President, Secretary and Treasurer, who shall continue in office until their successors are elected and qualified; the said Board shall also meet semi-annually, or oftener, on its own adjournments, or by call of the President, to transact business, to make all necessary arrangements for carrying into effect the views of said General Assembly; to manage and invest the funds collected, or any other property or estate; and said Board shall report to said Assembly of said Church at her regular meetings.

7. That the President of said Board shall preside in all the meetings of the same, call special meetings at the request of any two members; and the Vice President, in the absence of the President, shall preside and possess similar powers; and, in the absence of both President and Vice President, then said Board may choose a President pro tem., who shall preside for the time being.

8. That the Secretary shall keep a full and fair record of all the proceedings of said Board and carry on all its correspondence.

9. That the Treasurer shall take charge and dispose of all funds according to the directions of said Board, and report when called on.

10. That the Treasurer shall give bond, with approved security, in such penalty, to said Board, as the same may from time to time direct, for the faithful performance of his duties—provided that none of his sureties shall be members of said Board.

11. That all vacancies created by death, resignation, or in any other manner, shall be filled by the ensuing General Assembly of said Church, unless said Board find it absolutely necessary to do it themselves, in which case the appointment to fill any vacancy shall continue only until the vacancy shall be filled by the said Assembly.

12. That in case of the failure of any officer of said Board to serve, according to the requisitions of said Assembly, the Board shall have power to elect a suitable person to such office, according to said requisitions, and to remove delinquents in office.

13. That should the time ever come when any religious body, claiming to be the successors of the present General Assembly of said Church, and should hold and maintain doctrines and sentiments different from those now held by said Church, then the powers and privileges granted to the General Assembly of said Church shall inure to and be vested in that body of people professing and preaching the doctrines of the said Church, as now set forth in her Confession of Faith.

14. That said Board shall have authority, by law, to collect all such sums of money, all legacies, bequests, donations, and estates, of ev-

ery description, as have heretofore been or may hereafter be subscribed, devised, bequeathed, or donated by individuals, or for which any persons may have heretofore or may hereafter execute their notes or bonds, to the said Church, Assembly, or Board.—Approved March 8, 1854. Adopted as amended, 1912, pp. 44, 45.

## II. THE BOARD OF PUBLICATION.

The General Assembly, at its first meeting, in 1829 (MSS Minutes, p. 18), appointed a committee to superintend the publication of 5,000 copies of the Confession of Faith. In 1830 (MSS. Minutes, p. 30), the General Assembly made "The Religious and Literary Intelligencer" a private newspaper, its organ by appointing its editor. The funds to pay for the publication of the books that were issued from time to time seem to have been contributed by individuals. In 1845 (MSS. Minutes, pp. 300-306), the General Assembly adopted a kind of constitution for the government of the publishing interests of the Church, through a "Publishing Association." But nothing seems to have been accomplished by this Association. Two years later, a Board of Publication was organized.

### 1. The Board Located at Louisville, Ky.

In 1847 steps were taken to establish a Board of Publication at Louisville, Ky. Articles of incorporation were drawn up, the members of the Board were elected, and the Board continued its work from this center until the year 1858.

### 2. The Board Located at Nashville, Tenn.

In 1859, by order of the Assembly of 1858, the Board was moved to Nashville, Tenn. It seems that, during its work at Louisville, the corporation had become known to the Assembly as the Committee on Publication. In 1860 the Assembly formally makes it a Board, which secures a charter under the General Assembly of the State of Tennessee.

### 3. The Board Located at Pittsburg, Pa.

In 1862 the Assembly, which met that year in Owensboro, Ky., received no report from the Board of Publication at Nashville; and when, a year from that time the Assembly met at Alton, Ill., and still no report from the Board, the Assembly took steps to transfer the property and the office to Pittsburg, Pa. This step was taken under management of a "Committee on Publication," but next year the "Board of Publication" is chartered under the laws of the State of Pennsylvania, March 23, 1866.

### 4. The Board Located Again at Nashville.

In 1867 the General Assembly re-establishes the Board of Publication at Nashville, Tenn., where it operated under a former charter

under the laws of Tennessee, until 1907, when, because of the defection of the members of the Board, the General Assembly formally deposed them from office and elected and installed a new membership. This Board still successfully carries on the work of publication from its plant in Nashville.

##### 5. The Personnel of the Board Is Changed.

We ask the General Assembly to endorse and adopt the following:

Whereas, the following named members of the Board of Publication of the Cumberland Presbyterian Church heretofore elected by the General Assembly as members of said Board—to-wit: W. A. Provine, Hamilton Parks, Charles Manton, W. T. Hardinson, J. M. Johnston, J. H. Reynolds, John H. DeWitt, L. M. Rice, and M. G. Wood have denied allegiance to the Cumberland Presbyterian Church and have declared their allegiance to the Presbyterian Church in the United States of America and are diverting the property, assets, and belongings of said Board of Publication of the Cumberland Presbyterian Church from the use and benefit of the Cumberland Presbyterian Church and are now using the same in the interest of and for the benefit of the Presbyterian Church in the United States of America, whose doctrine, polity, and sentiments are materially and vitally different from the doctrine, polity, and sentiments of the Cumberland Presbyterian Church, which is a palpable and flagrant violation of the trust reposed in them.

1. Resolved, therefore, that this General Assembly does hereby depose and remove the aforesaid members of said Board and declare their office as members of said Board vacant and they shall no longer be members of said Board, and they are hereby prohibited from exercising any of the powers or rights heretofore possessed by them by reason of their election or appointment as members of said Board of Publication of the Cumberland Presbyterian Church.

2. Be it further resolved, that J. H. Zarecor, F. A. Seagle, A. N. Eshman, R. L. Baskette, J. H. Fussell, Rev. A. C. Biddle, Rev. J. H. Zwingle, W. L. Danley, S. A. Cunningham, and W. E. Dunaway be, and they are hereby appointed, elected and constituted members of the Board of Publication of the Cumberland Presbyterian Church, and as such, shall have and possess all the powers, rights, and privileges conferred by law upon the Board of Publication of the Cumberland Presbyterian Church by acts of State of Tennessee, 1859-1860, chapter 167, sections 34 and 35, and the amendments thereto, and shall take and possess all property to which said Board is entitled.

Said Board of Publication of the Cumberland Presbyterian Church is hereby authorized, empowered, and directed to depose and remove from said Board all such members of said Board as have denied allegiance to the Cumberland Presbyterian Church and who are endeavoring to divert and devote the use of the property entrusted to

said Board from the Cumberland Presbyterian Church and are endeavoring to transfer said property to the use and benefit of the Presbyterian Church in the United States of America. And to this end the said Board of Publication of the Cumberland Presbyterian Church is hereby authorized, empowered, and directed to bring and defend all suits to acquire and possess all property, assets, and belongings of said Board as in the judgment of said Board may be necessary.

And this Board is fully authorized and empowered to do all other things necessary to the end that all property, assets, and belongings may be restored to the use of the Cumberland Presbyterian Church to which the same rightfully belongs.

Respectfully submitted and signed by your committee. Adopted, 1907, pp. 78, 79.

#### **6. Charter of the New Board.**

In 1915, under orders of a former Assembly, a charter was received as follows:

Dear Fathers and Brethren: In the year that has now passed we, your Board, have endeavored to carry out the instructions of your honorable body, and we feel that we have done the best in our power.

#### **Charter of Board**

We have, following the orders of the Assembly in reference to obtaining a charter for our Board, incorporated the same.

When we undertook to incorporate, it was found that it was necessary to amend the incorporation laws of Tennessee before a charter could be procured to operate such a plant as we desired and place the corporation under the management of the Church. The Legislature did not meet until January, 1915, and we then procured the passage of such act as we deemed would meet the requirements. After the act was passed, at the 1915 session of the General Assembly of the State of Tennessee, we, at the next meeting of the Board, procured a charter, which charter is as follows:

#### **"State of Tennessee, Charter of Incorporation.**

"Be it known that Rev. A. C. Biddle, J. H. Zarecor, Rev. A. N. Eshman, W. B. Young, Frank Slemmons, and their successors chosen under the usages and regulations of the Cumberland Presbyterian Church, by which they are appointed and holding office at the pleasure of said Church, are hereby created a body politic and corporate by the name and style of the Cumberland Presbyterian Board of Publication, under Act of 1915, chapter 31, which provides as follows:

"Section 1. Be it enacted by the General Assembly of the State of Tennessee: That Chapter 142 of the Acts of 1875, entitled 'An Act to provide for the organization of Corporations,' passed March 19, 1875, be and the same is hereby amended so as to provide for the organiza-



tion of corporations for the carrying on the business of any board, committee, or other agency appointed and controlled by any religious denomination, organization, or association.

"The particular purposes for which this charter is sought are: To provide a publishing plant for the Cumberland Presbyterian Church and to purchase or rent all necessary printing presses, type, and material for the purpose of carrying on the work of the corporation and to disseminate religious and denominational literature, and to do all other things ordered and approved by the proper authorities of said Church.

"And to these ends said corporation may purchase, own, or lease land for corporate purposes; borrow money when necessary for the carrying on of the business of the corporation; sell and make title to any real estate or other property owned by the corporation, employ all necessary agents for the transaction of the business of the corporation; to solicit, collect, and receive subscriptions in money and otherwise, legacies or devises to be used in aid of forwarding any and all of the purposes of the corporation; purchase or rent all necessary printing presses, type, and material for the purpose of carrying on the work of the corporation.

"But in all transactions of the said corporation it is to be governed by the rules and regulations of the said Cumberland Presbyterian Church, so far as the same are not inconsistent with the Constitution of the State and the laws of the land.

"The general powers of said corporation shall be to sue and be sued by the corporate name; to have and to use a common seal, which it may alter at pleasure; if it has no common seal, then the signature of any duly authorized officer shall be legal and binding. To purchase and hold, or receive by gift, devise or bequest, in addition to the personal property owned by the corporation, real estate necessary for the transaction of the corporate business, and also to purchase and accept any real estate in payment or part payment of any debt due to the corporation and to sell the same; to establish by-laws and make all rules and regulations not inconsistent with the laws and Constitution of the State, and of the United States of America, and not contrary to the constitution and rules and regulations of the said Cumberland Presbyterian Church deemed expedient for the management of the corporate affairs, and to appoint such subordinate officers, in addition to president and secretary, not chosen by the governing body of said Cumberland Presbyterian Church as the business of the corporation may require, and as are not forbidden by the rules and regulations of said Cumberland Presbyterian Church; to designate the officers and fix the compensation of the officers.

"That the general welfare of society, not individual profit, is the object for which this charter is granted, and hence the members are

not stockholders in the legal sense of the term, and no dividends or profits shall be divided among the members.

"We, the undersigned, apply to the State of Tennessee, by virtue of the laws of the land, for a charter of incorporation for the purposes and with the powers, etc., declared in the foregoing instrument.

"This 11th day of May, 1915. (Signed and Sealed),

J. H. Zarecor,  
A. C. Biddle,  
W. B. Young."

#### 7. Name of the Board Is Changed.

Under the charter, and for legal reasons, the name of the Board is changed from "The Board of Publication" to "The Cumberland Presbyterian Board of Publication."

#### 8. Weekly Papers and Periodicals.

(Note.—I am not sure that I have a complete list, and from this late date it is simply impossible to give dates of first and last issues. From time to time these periodicals have appeared before the Church.)

The Religious Intelligencer (1830), The Revivalist, The Cumberland Presbyterian, The Banner of Peace, The Ark, The Union and Evangelist, The Evangelist and Observer, The Cumberland Presbyterian, The Quarterly Review, The Ladies' Pearl, The Theological Medium, The Watchman and Evangelist, The Western Cumberland Presbyterian, The Texas Cumberland Presbyterian, Our Faith, The Pacific Observer, The Central Cumberland Presbyterian, The McGhee Observer, The Cumberland Presbyterian Banner, and The Cumberland Presbyterian.

#### 9. Assembly Commends Its Papers.

That the General Assembly most heartily commends The Cumberland Banner, now published at Jasper, Tenn., not as a Church organ—for we are a little weary of "Church organs"—but as a faithful and fearless exponent of Cumberland Presbyterianism in the hour of great trial. That we cordially endorse T. A. Havron, its self-sacrificing editor; and that we urge our Presbyteries to use diligence to give our paper the largest possible circulation within their bounds.—Adopted, 1996, p. 14.

We now have a list of over 5,000 subscribers to The Cumberland Presbyterian and a rapid advancement that is gratifying. We think Rev. J. L. Hudgins, our efficient editor, is the right man in the right place, and we recommend that he be re-elected at his present salary.—1911, p. 120.

We wish to strongly endorse our Cumberland Presbyterian papers—to-wit: The Cumberland Presbyterian, The Cumberland Presbyterian Banner, and The Cumberland Observer. We therefore recom-

mend that all pastors be urged to place the papers of our Church in the homes of our people and that they be satisfied with nothing less than a Cumberland Presbyterian paper in every home within the bounds of their pastorates.—Adopted, 1912, p. 129.

#### **10. The Merging of Two Boards: The Board of Publication and the Board of Sunday Schools and Young People's Work.**

##### **Joint Report of the Committee on Publication and the Committee on Sabbath Schools and Young People's Work.**

Whereas, it occurring to the Committee on Publication and the Committee on Sabbath School and Young People's Work that at least a part of the work of each is identical; we therefore, in a joint meeting of the two committees, recommend to the Assembly the following:

1. That inasmuch as the work of Publication and the work of the Board of Sabbath Schools and Young People's Work are to a great extent covering the same field the two Boards should be combined, under both names, the hold-over members of both Boards and Rev. T. Ashburn, who retires from the Sunday School Board at this Assembly constitute the Board, consisting of the following members and classifications:

Class I—Rev. T. Ashburn, Rev. W. H. McLeskey, F. A. Seagle.

Class II—Rev. W. B. Duck, H. J. Graf, Rev. J. H. Zwingle.

Class III—J. H. Zarecor, Frank Slemmons, and J. M. Gallaher.

2. We recommend that the Board employ and fix the salaries of editor, managers, and other employees subject to the approval of the General Assembly.

3. We recommend further that as soon as possible the Board shall employ one or more workers in the field for Sunday School Extension.

4. We recommend that the Board of Publication be authorized and instructed to take such measures as may be necessary to amend the charter of said Board to meet the legal requirements of this consolidation.—1916, p. 111.

### **III. BOARD OF SUNDAY SCHOOL AND YOUNG PEOPLE'S WORK.**

#### **1. Board Created in 1903.**

We therefore recommend that such a Board be created under the name of the "Board of Sunday School and Young People's Work," with headquarters at Nashville, Tenn., the said Board to become incorporated and to be composed of nine members."

### 2. Board Dismissed in 1905.

"Resolved: That the action of the Assembly at Nashville, Tenn., in 1903, in creating the Board of Sunday School and Young People's Work, be and the same is hereby rescinded; and it is further recommended that the missionary interests of the Sunday school and Christian Endeavor be referred to the Board of Missions and Church Erection."—1905, p. 73.

### 3. Board Reinstated in 1906.

The work of this Board was reinstated, and a new personnel named, as seen in the following action:

"On motion the following persons were named to fill the vacancies caused by the hegira: On the Board of Sunday School and Young People's Work, Rev. T. Ashbern, Rev. J. T. Barbee, William Reister, and William Reiber."—1906, p. 12.

(Note.—T. W. Keller and J. M. Gallagher were added in 1907.—A. C. B.)

### 4. Merged with Board of Publication in 1916.

(See "Merging of the Two Boards," page, 215.)

## IV. THE BOARD OF MISSIONS.

### 1. Early Missionary Work.

The records show that from the beginning the Cumberland Presbyterian Church was actuated by a missionary spirit. Some four years passed after the organization of Cumberland Presbytery, on February 4, 1810, before it was apparent that a separate denomination was to be the result. Work as a new Church dates from the organization of the first Synod, rather than from 1810.

The first Synod was organized at the Beech meeting-house, in Sumner County, Tenn., on October 5, 1813. The original Presbytery had been divided into three Presbyteries, viz.: Logan, Elk, and Cumberland. At this meeting of the Synod the name of the Cumberland Presbytery was changed to that of Nashville.

All three of the Presbyteries which composed the first Synod at once began missionary work. In 1818, societies were formed with a view of missionary effort among the Indians. It appears that the three Presbyteries entered upon this work almost simultaneously, there being but a few days' difference in the meetings of these bodies, when the movement was inaugurated. Elk, it appears, was the first to begin. The missionary movement seems to have started with Rev. Samuel King, Rev. James Stewart, and Rev. Robert Bell. Mr. Bell drew up a constitution for a Ladies' Missionary Society, under which the societies of all the Presbyteries worked.

In October, 1818, the Central Board of Elk Presbytery sent Rev. Samuel King and Rev. William Moore to the Indians. When they re-

turned, in the spring of 1819, and made a report of their work, the Presbytery sent Mr. King back, and with him Rev. Robert Bell, to evangelize among the Indians. Mr. Bell opened a school for the Indians, in May, 1820, which was continued until about 1832. In the meantime a Board of Missions for the entire Church had been organized; or rather, "the Ladies' Missionary Society of Logan Presbytery, without ceasing to be the Presbyterian Society, was also made the General Society of the Church, and all the ministers of the Church were appointed trustees. Rev. Robert Donnell, of Elk Presbytery, became the President of the General Board at Russellville. . . . As the Society of Logan Presbytery, it had the ministers of that Presbytery for one of these Boards; as the General Missionary Society of the Church it had all the preachers in the Church for the other." The work among the Indians was then called foreign missions; now it is known as home missions.

In 1815, Rev. Thomas Calhoun and Rev. Robert Donnell visited East Tennessee and held revival meetings, but did not undertake to organize churches. The Presbyterian Church received the benefit of their labors. The next year Mr. Calhoun was sent for and crossed the mountains and filled a long list of appointments in special meetings. In 1818 Rev. David Foster, by order of the Nashville Presbytery, went to a circuit in East Tennessee. In 1821 Rev. J. S. Guthrie was sent to the Hiwassee circuit. Later Rev. Robert Baker, Rev. Abner Lansden, Rev. George Donnell, and Rev. S. M. Aston were sent to that field. In 1826, the Presbytery from Middle Tennessee crossed the mountains and held a session in a private house in East Tennessee. In 1827, the Knoxville Presbytery was organized.

The Nashville Presbytery established circuits in West Tennessee as fast as the country was opened. Rev. John L. Dillard and Rev. James McDonnold were sent thither, in 1820. In 1821, Rev. Richard Beard was sent to a work in that section. Others were sent from time to time, and the work prospered. In 1824, Hopewell Presbytery was organized. In the same manner Alabama and Mississippi were visited as the territories were opened to white settlers.

Logan Presbytery sent missionaries to Indiana, Illinois, Ohio, and Missouri; and besides this looked after the destitute parts nearer home. In 1811, Rev. William Harris visited Indiana. In 1817, by order of Logan Presbytery, Rev. Alexander Chapman and Rev. William Barnett made a tour of the State. A member of Rev. Finis Ewing's congregation, in Kentucky, had moved to Illinois. He wrote an urgent letter to Rev. William Barnett to visit that section. Mr. Barnett journeyed at once to Illinois, and he and Rev. Green P. Rice held the first Cumberland Presbyterian campmeeting ever held in the State. This was in 1817. In 1819, the Ladies' Missionary Society at Russellville, Ky., was instrumental in sending Rev. R. D. Morrow as a missionary to Missouri. In 1820, the Board of Missions sent Rev.

Alexander Chapman on a missionary tour through Illinois. In 1819, McGee Presbytery was organized in Missouri, and in 1822 Illinois Presbytery was formed in Illinois.

In the same manner the home missionary effort of early Cumberland Presbyterians can be traced in planting churches in Arkansas, Ohio, and Pennsylvania. In those early years the missionary spirit of the denomination was its very life; and but for the self-sacrificing spirit of those consecrated men and women, Cumberland Presbyterianism would to-day be very much circumscribed. In 1829 the General Assembly was organized; and in 1831 it directed that "all the Presbyteries form home missionary societies and that each congregation be an auxiliary society to raise funds for the support of missionaries."

For several years after the organization of the General Assembly the missionary work of the Church was carried on by the Synods and Presbyteries, but the time came when the work needed to be unified. The spirit of missions is the spirit of the Church, and from time to time opportunity and encouragement comes to the worker. In 1836 the Board of Foreign Missions was created—1836, p. 270 mss. In 1845 a Board of Foreign and Domestic Missions was created, and located at Lebanon, Tenn. In 1866 the Board of Missions was located at Alton, Ill., and was operating under a charter from that State. In 1879 we find this same Board located in St. Louis, and with a charter from the State of Missouri, with only five members, instead of twelve as formerly constituted; and to the year 1906 continued there, doing a great work in domestic and foreign missions. In 1906 the members of this Board, which now had been increased to seven, defected to another Church, and the Assembly forthwith appointed their successors as follows:

"On motion the following were appointed to fill the vacancies in the Board of Missions and Church Erection: Judge F. H. Prendergast, Rev. W. M. Robison, William Clark, Rev. J. L. Joyner, and Frank Hall, with headquarters at Marshall, Tex.

This Texas Board resigned as a body to the Assembly at Dickson, Tenn., in 1910, turning over to the Assembly all its papers, books, and properties, and the General Assembly, through its Committee on Missions, took the following action:

"The paper placed in our hands, announcing the resignation of all the members of the Board of Missions in order that the Board may be reorganized and made to conform to the requirements and conditions of the charter under which the said Board is to operate, we, your committee, after due consideration, would recommend that the following named brethren be appointed as composing the new Board: Rev. J. W. Duvall, Rev. J. E. Cortner, Rev. T. C. Newman, Elder G. P. Grimes, Rev. A. M. Buchanan, Elder F. E. Allen, and Rev. J. L. Joyner."—1910, p. 55.

The above-named gentlemen were appointed, at once organized, and began operations as the "Board of Missions and Church Erection," under a charter granted by the Judge of the Eighth Judicial Circuit, State of Missouri, in the year of our Lord, 1892. Properly attested.

The personnel of this Board in 1918: Rev. A. M. Buchanan, President, Rev. J. W. Duvall, Treasurer, Rev. F. C. Hughes, R. C. Ewell, J. E. Eberts, G. W. Freeman, and Rev. R. L. Layman.

## V. WOMAN'S BOARD OF MISSIONS.

In 1880 the General Assembly met in Evansville, Ind. A call was issued to the women of the Church to meet in the same city, during the sittings of the General Assembly, for the purpose of organizing a Woman's Board of Foreign Missions. The meeting was well attended, and the following will show with what results:

The following communication from the Woman's Convention of the Cumberland Presbyterian Church was read, and approval thereof was expressed by an unanimous rising vote:

To the Moderator and Members of the General Assembly of the Cumberland Presbyterian Church:

The convention of the women of the Cumberland Presbyterian Church, called for the purpose of organizing a Woman's Board of Foreign Missions, after earnest and prayerful consideration of the subject, have determined to organize said Board and to locate it at Evansville, Ind., with the following members: Mrs. Rachel Ruston, Mrs. D. S. Ragan, Mrs. N. A. Lyon, Mrs. W. F. Nisbet, Mrs. W. J. Darby, of Evansville; Mrs. M. J. Parsons, of Newburg, Ind.; and Mrs. William Kurtz, of Princeton, Ind. Thanking you for the encouragement already given us, we sincerely ask your sympathy and prayers in behalf of the important work in which we have embarked, that through the instrumentality of the missionaries our Board may send to heathen lands, multitudes of our sisters may be brought to a knowledge of Christ.

Mrs. Mary McGindley,  
Miss Belle M. Day,  
Committee.

The Stated Clerk was ordered to prepare a suitable response to said communication, whereupon the following was sent in reply:

To the Woman's Convention of the Cumberland Presbyterian Church, now in Session in Evansville, Ind.:

The communication of your committee to our General Assembly was most gratefully received, and approval thereof was expressed by an unanimous rising vote. We pledge you our most prayerful sym-

pathy and co-operation in your grand work in behalf of heathen women in foreign lands. May the God of all grace abundantly bless and prosper your new Board and all your efforts in your noble mission.

John Frizzell, Stated Clerk.

Evansville, Ind., May 27, 1880.

—1880, pp. 38, 39.

#### Charter of the Woman's Board of Missions of the Cumberland Presbyterian Church.

We, the undersigned, desiring to form ourselves into a corporate Missionary Board, in pursuance of the provisions contained in Article IV. of the Revised Statutes of Indiana, declare as follows:

Section 1. The name of this corporation shall be, Woman's Board of Foreign Missions of the Cumberland Presbyterian Church.

Section 2. The object of this corporation shall be to promote an interest especially among the members of the Cumberland Presbyterian Church, in behalf of Foreign Missions, and to co-operate with the General Assembly's Board of Missions in sending the gospel to foreign lands, especially to heathen women and children, and to any of the tribes of North American Indians. All property both real and personal, which may be acquired by this corporation, shall be held in trust by it for such purposes.

Section 3. This corporation shall be subject to the control and patronage of the General Assembly of the Cumberland Presbyterian Church, in manner as follows:

(1) The General Assembly aforesaid shall have the right, through its Board of Missions, to prescribe all qualifications of missionaries, physical, educational, and religious.

(2) This corporation shall have the right to nominate as missionaries any persons possessing the qualifications required, to the properly constituted authority of the said General Assembly for its approval and commission.

(3) The said General Assembly, in any manner it may elect, shall have the right to indicate the fields of labor to which said missionaries shall go and shall likewise have the right to define their duties and fix their salaries.

Section 4. This corporation may organize such auxiliary societies as it may deem proper and shall have the right to control its own internal affairs, according to the judgment of its trustees and officers, and all property of every description, which it may acquire, shall be devoted exclusively to the purposes enumerated in Section 1; and the General Assembly aforesaid shall have no power to direct the same to other uses. This corporation shall not invest any of its funds in real estate in any foreign lands except through and in the name of the Board of Missions. Any matters of difference arising between this corporation and any other similarly constituted authority, in the Cum-



berland Presbyterian Church, shall be referred to the General Assembly of the said Church, and its decision shall be final.

Section 5. This corporation proposes to raise such funds as may be needed by voluntary contributions, collected through the agency of its several auxiliary societies; also to accept invitations, bequests, and devises from individuals. The amount already donated to the Board is \$—.

Section 6. Donations and contributions may be represented by shares of (30) thirty dollars each, which share shall not be assignable, but shall be personal to the party to whom originally issued.

Section 7. The successors to the subscribers hereto shall be such trustees as may be designated in convention formed by delegates from auxiliary societies, synodical vice presidents, and life members. The convention, so composed, shall nominate to the acting Board of Trustees a full Board for its approval, and it shall be competent for said convention to nominate any one or more of the acting Board. It shall be the duty of the said acting Board, at its first meeting thereafter, to elect the persons so designated by said convention.

In 1890 the Woman's Board determined "to aid in the Home Field" (Assembly Minutes, 1890, p. 44) and accordingly had the name of the organization changed from "the Woman's Board of Foreign Missions of the Cumberland Presbyterian Church" to "the Woman's Board of Missions of the Cumberland Presbyterian Church."

#### Constitution of the Board.

Article 1. This Society shall be called the Woman's Board of Missions of the Cumberland Presbyterian Church.

Article 2. The object of this Board shall be to promote an interest among the women of the Cumberland Presbyterian Church and to work in co-operation with the General Assembly's Board of Missions for the evangelization of the world.

Article 3. The Board shall consist of nine members, four of whom shall constitute a quorum. They shall elect their own officers and employ such assistants as the necessities of the work may demand.

Article 4. They shall have power to appoint a Vice President for each Synod, whose duty it shall be to hold annually a meeting in connection with Synod; a Board of Managers, who shall devise and use means for extending missionary influence in the Church, also to seek and recommend to the Board suitable women for missionaries; an Auditor, who shall examine thoroughly all books and papers of the Treasurer, and furnish a certificate of the result of the same to the Board.

Article 5. The meetings of the Board shall be held monthly, or oftener, at the call of the President. There shall be an annual meeting, at which each auxiliary society shall be entitled to two delegates. At each annual meeting an address by the President, reports by the

Corresponding Secretary and Treasurer shall be presented, members of the Board elected, and other business transacted.

Article 6. Any number of women, contributing each thirty-five cents per quarter, may form a society auxiliary to the Board, the usual dues being forwarded to the Board, the remainder being retained and equally divided between the presbyterial and synodical funds.

Article 7. The Board shall have power to make all necessary by-laws and fill vacancies occurring during the year.

Article 8. The payment of thirty dollars shall constitute a life membership of this Board, provided the sum exceeds the regular dues of any auxiliary society.

Article 9. This Constitution may be altered or amended by a vote of two-thirds of the members at any annual meeting.

The Charter and Constitution of the Board make it auxiliary to the General Assembly's Board. The Woman's Board has ever been loyal to its chartered and constitutional purpose. Through its machinery and the devotion of its constituency the Woman's Board has raised annually a good sum of money for the advancement of the missionary work of the Church. Seventeen women (whose names are included in the lists on preceding pages) have been sent to the foreign field; and they have received their support through this Board.

#### **Personnel of the Present Board.**

The Woman's Board of Missions has always been loyal to the Church and obedient to the General Assembly, making report of any changes and asking the Assembly to ratify the election of its officers. In agreement with this custom, the Moderator appointed the Rev. A. C. Biddle, of Clarksville Presbytery, to cast the vote of the Assembly electing the following as the members of the Woman's Board of Missions: Mrs. Mattie Ashburn, President Emeritus; Mrs. Johnnie M. Clay, President; Mrs. Gertrude Schultz, Mrs. Lydia E. Tupman, Mrs. Tillie M. Stone, Mrs. Anna M. Conn, Miss Mattie Huber, and Mrs. Mary M. Graf, Corresponding Secretary and Treasurer.—1918, p. 20.

### **VI. THE THEOLOGICAL SEMINARY.**

As early as 1830, at the second annual meeting of the General Assembly, the advisability of establishing a Theological Seminary in connection with Cumberland College, at Princeton, Ky., was considered. While the sentiment was in favor of the establishment of such an institution, it was determined that it was not expedient to do so at that time.—1830, p. 36, MSS.

#### **1. The Assembly Plans a Theological School.**

1. The Plan Drawn and Adopted.—A committee was appointed to "mature plans for the establishment of a Theological Department in Cumberland University."—1850, p. 17.

This committee made a report and submitted articles to govern the Theological school.—1852, p. 36-43.

2. Board of Trustees.—The General Assembly entered into an agreement with the Board of Trustees of Cumberland University whereby said Board of Trustees was to introduce a Theological Department into Cumberland University, while the Assembly should control in faculty and doctrine.—1850, pp. 41, 42.

3. Discusses a Separate Board of Trustees.—“The propriety of having a separate Board of Trustees for it (the Seminary) has often been discussed, but its own interests are against such change.”—McDonnold’s History, p. 522.

4. Appoints a Separate Board of Trustees.—Whereas, said Trustees of Cumberland University have now denied the right of the General Assembly of the Cumberland Presbyterian Church to control, manage, or in any wise direct the use of said fund, and have submitted themselves to the direction and control of the General Assembly of the Presbyterian Church, U. S. A.; and,

Whereas, this Assembly believes that said action upon the part of said board is a breach of trust upon which said fund is held, it now declares its intention to remove said fund and property representing same and parts of same from the control and possession of said Board of Trustees of Cumberland University, and place it under the control of the trustees provided for in the Contitution of 1852, hereinbefore mentioned and quoted from, and, with that end in view, it hereby appoints Rev. J. R. Goodpasture, Nashville, Tenn., Rev. J. L. Hudgins, Nashville, Tenn., W. T. Marshall, Lebanon, Tenn., Capt. H. T. Norman, Lebanon, Tenn., and W. L. Danley, Nashville, Tenn., trustees, and directs them to take such steps as are necessary to remove said fund and property, real and personal, from the control of the present trustees, who are acting under the direction of the Presbyterian Church, U. S. A., and said trustees herein appointed may incorporate themselves for the purpose of securing, holding, and administering said trust fund and property; and,

Whereas, since the Constitution, or plan, of 1852 was enacted, differences have arisen as to the administration of the funds and property of the Theological Department as between the General Assembly and the Board of Trustees of Cumberland University; and,

Whereas, provision has been made at the present meeting of this Assembly for the appointment of a Board of Trustees for Cumberland University who shall represent the Cumberland Presbyterian Church, it is the desire of this Assembly that the board of five herein appointed shall confer with and make such arrangements with said Board of Trustees of Cumberland University as may be necessary for the carrying out of the trust, both as to the university proper and as to the Theological Department and its fund.—1910, pp. 45-47.

5. Trustees of Seminary Secure Charter.—Under order of the Gen-

eral Assembly this Board proceeds at once to organize and to secure a charter, as follows:

"State of Tennessee,  
Charter of Incorporation,

"Be it known that J. R. Goodpasture, J. L. Hudgins, W. T. Marshall, H. T. Norman, and W. L. Danley are thereby created a body politic and corporate by the name and style of Cumberland Presbyterian Theological Seminary." (Here follows code and usual statement of the powers of such institution; witnessed, signed, sealed, and registered the fifth day of May, 1919.)—1911, pp. 22-25.

6. Personnel of Board in 1918.—Rev. Hugh S. McCord, Rev. T. C. Newman, Rev. J. H. Thomas, Rev. J. L. Hudgins, Hon. W. T. Marshall, Rev. G. W. Burroughs, Rev. B. J. Reagin, Dr. D. M. McAnulty, and Rev. A. D. Rudolph.—Minutes of 1918, p. 5.

## VII. BOARD OF MINISTERIAL RELIEF.

In the earlier history of the Church the care of the dependent superannuated ministers and their families was left, for the most part, to the Presbyteries and the local churches. Occasionally, however, some specific case was brought to the attention of the General Assembly. The following are instances of this class:

Whereas, this General Assembly has learned that the Rev. Samuel McAdow, our oldest preacher and one of those who aided in the constitution of our Church, is now living in the State of Illinois; and knowing that he is old and afflicted, and in circumstances quite necessitous; therefore be it

Resolved by this General Assembly: That Rev. John Barbour, Sr., endeavor to learn the true condition of the aged father and report to the next Assembly, and that this Assembly feel bound to sustain him, if need be, as long as he lives. This is in addition to the present aid, afforded by the personal contributions by the General Assembly and others, and now transmitted by a brother.—1833, pp. 171-173, MSS.

The committee authorized to receive contributions for the benefit of the Rev. Samuel McAdow reported the receipt of \$107.06.—1834, p. 212, MSS.

On motion, the following preamble and resolution were adopted:

Whereas, this Assembly has knowledge of the dependent situation of the wife and family of Brother McLinn, deceased; therefore be it

Resolved: That their situation be presented to the Church and a collection made for their benefit and forwarded to the next General Assembly.

In 1880 the Presbytery of Hiwassee (now Knoxville) sent a memo-

rial to the General Assembly, raising the question of the advisability of this work's being done through a central Board instead of by the Presbyteries.—1880, p. 11.

### 1. Board Located at Evansville, Ind.

This report was referred to another committee, whose report thereon was adopted, and is as follows:

We have duly considered the report of the committee appointed by the last General Assembly (1889) and recommend that you adopt the same, with the following additional provisions, as contemplated by the appointment of this committee:

1. That the Board of Ministerial Relief be located at Evansville, Ind.

2. That the Board consist of the following members: Rev. W. J. Darby, Evansville, Ind.; Rev. J. E. Jenkins, Princeton, Ind.; Rev. J. S. Grider, Bowling Green, Ky.; B. Bransford, Owensboro, Ky.; W. G. Ralston, Evansville, Ind.; Alvah Johnson, Evansville, Ind.

### 2. Assembly Names New Members.

Your committee is informed that all of the Board of Ministerial Relief have left the communion of the Cumberland Presbyterian Church and have united with the Presbyterian Church in the United States of America, except Dr. G. W. Ralston, and as his being the only one left of the former nine members of that important Board, your committee recommends that the Assembly proceeds at once to fill the eight vacancies caused by the apostasy of these men.

We also heartily endorse the recommendation of the Temporary Board, that the Assembly fix the bond to be given by the Treasurer and Corresponding Secretary.

We further present the names of the following brethren as the proper persons for said Board: Dr. G. W. Ralston, E. M. Johnson, W. M. Freeze, J. L. Goodknight, G. W. May, J. H. Milholland, J. M. Wyckoff, J. A. Hill, and R. D. Miller.

We recommend that the bond of the Treasurer and the Corresponding Secretary be \$5,000 each.

### 3. The Board Secures a New Charter.

In making its thirty-third annual report to the General Assembly, the Board of Ministerial Relief, through its attorney, Judge H. H. Denhardt, submits to the Assembly a new charter issued by the Commonwealth of Kentucky. This new charter grants to the Board that while "the principal office and place of business of the corporation shall be at Bowling Green, Warren County, Ky., other offices may be maintained at such places as the Board may deem best."—1914, pp. 43-46.

### The Victoria Jackson Home.

By the records we learn that Miss Victoria W. Jackson, a life-long Cumberland Presbyterian, had, at her death, bequeathed her beautiful home to the Church as an Orphan's Home; the property is said to be worth \$10,000; and the steps by which this valuable bequest was turned over to the Board of Ministerial Relief are graphically shown in the records.—1913, pp. 63-80.

### 5. The Personnel of the Board, 1918.

Rev. C. A. Galloway, Harry Copper, R. M. Lisman, Rev. J. T. Coleman, Rev. J. M. Cook, Rev. W. H. Hutchinson, C. E. Cooper, R. B. Shaver, and Rev. J. A. McLane, Secretary and Treasurer.

### 6. The Board of Managers of the Home.

Dr. T. W. Stone, Judge H. H. Denhardt, Miss Nina McGinnis, J. W. Goodrum, Miss Josephine Ennis, Mrs. J. R. Campbell, Mrs. J. T. Cowles, Mrs. Charles Drake, Mrs. J. F. Hendrick, Mrs. Mary J. Stone, Mrs. W. E. Settle.—1918, p. 6.

## VIII. THE BOARD OF EDUCATION.

As early as 1836 an Educational Society was organized, under a constitution, with Rev. Robert Donnell, as President, and Rev. Samuel King, as Vice President.—1836, Mss. pp. 281, 282.

1. Name Changed to Educational Society.—A new charter was granted to this Board, and its name changed to the Educational Society.—1907, pp. 64, 65.

2. History of the Board.—The Board of Education was created in 1881; changed its name and amended its charter in 1895; unfurled its banner, "Education before Ordination," in 1896; exploited the "million-dollar-endowment" in 1899; voted as one man for the merger in 1906; and was dispossessed of office by the unanimous vote of the General Assembly in 1907.

3. Assembly Fills Vacancies.—On motion, to fill the vacancies caused by defection to the Presbyterian Church, U. S. A., the General Assembly named the following brethren to compose the Board of Education: Allen Foust, P. F. Johnson, J. W. Smith, W. E. Dunaway, J. D. Lewis, Frank Slemmons, J. L. Hudgins, J. N. Parker, and C. L. Wade.

4. Board Co-Works with Seminary Board.—"The Board of Trustees of the Theological Seminary agrees to accept the joint control of the Theological School and to become responsible for the salaries of the faculty, and the incidental expenses of the institution (the Theological Seminary).—1914, p. 103.

5. Board of Education Secures Its Charter.—The Board reports to the General Assembly that it has secured a charter which was reg-

istered in Nashville, signed, sealed, and delivered on the 19th day of January, 1915, and that it was recorded in Huntingdon, the county seat of Carroll County, Tenn.—1915, p. 48-51.

6. Schools under Care of the Board.—An overture from West Tennessee Synod tendering Bethel College to the General Assembly appears on the records, and this splendid school comes under the fostering care of the Board of Education.—1918, p. 100, 101.

7. Personnel of the Board of Education, 1918.—C. A. Davis, A. C. Biddle, J. W. Burney, J. A. Deaver (in the army), J. W. Dishman, C. B. Holladay, R. H. Jackson, R. C. Denny, W. B. Cunningham, Secretary and Treasurer.

## IX. BETHEL COLLEGE.

Surely every Cumberland Presbyterian will place the Church school as of prime importance among the agencies of the General Assembly. Presbyterian and Synodic schools and academies have ever done heroic work for the cause of education and the Church. Bethel College, of all the Church schools of to-day, seems to have won its way into the fostering care of the Assembly. As early as 1842 there was a flourishing school at McLemoresville, Tenn., known as Bethel Seminary. In 1847 West Tennessee Synod took over this school, secured a charter, and continued to operate it as Bethel Seminary, at McLemoresville, Tenn. From the charter, and the succeeding amendments thereto, we find—

That the title is changed to Bethel College in 1850.

That the school moves from McLemoresville to McKenzie, Tenn., in 1891.

That it becomes the property of four West Tennessee Presbyteries, Hopewell, Obion, Memphis, and Madison Presbyteries, in 1905.

That again it is placed under control of West Tennessee Synod in 1917.

That it was tendered by West Tennessee Synod to the General Assembly in 1918, as witness the following action:

“Bethel College, by motion and second, was taken temporarily under the care of the General Assembly, and it was provided by the motion that the income from the Cynthia Smith legacy be used for the assistance of Bethel College until needed by the greater school to be established.—1918, p. 28.

### 1. Bethel College Charter.

(Acts of the Legislature of 1847-48, p. 110, chap. 71.)

An act to incorporate Bethel Seminary in the County of Carroll, and for other purposes.

Whereas the West Tennessee Synod of the Cumberland Presbyterian Church did by resolution, passed some three years since, determine to establish an institution within its ecclesiastical jurisdic-

tion. And whereas said institution has been located at McLemoresville, in the County of Carroll, also suitable buildings have been erected for said institution, and it is now in successful operation in its fifth session, therefore

Be it enacted by the General Assembly of the State of Tennessee, that A. E. Cooper, Dr. S. Bigham, J. H. Alesander, Gilbert Hart, E. Gwin, A. P. Hall, J. R. Harrell, A. B. Mitchum, J. Roach, John Simon, A. H. Smith, J. B. Terry, and G. Wilder, and their successors in office, are hereby constituted, and shall forever hereafter be a body corporate and politic, by the name and style of the Trustees of Bethel Seminary, and by that name and title shall sue and be sued, plead and be impleaded, answer and be answered unto in any court of law or equity in this State, and shall have full power and authority to receive and make title to property, both real and personal, to receive and hold donations and legacies for the benefit of said institution to an amount not exceeding one hundred thousand dollars; to have and to use a common seal, and to have and exercise all corporate privileges usually granted to similar institutions of learning.

(As usual, this document proceeds in order to define the rights granted, the amendments prayed and granted from time to time, and the last act is as follows.)

Be it enacted that all former acts conflicting with these amendments be and the same are hereby repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Clyde Shropshire, Speaker of House,  
W. R. Crabtree, Speaker of Senate.

Approved March 27, 1917.

Passed March 14, 1917.

Tom C. Rye, Governor.

## 2. Faculty and Enrollment in Bethel College.

At present (1919) there are seven teachers employed as the Faculty of Bethel College—Literary, four; Music, two; Expression, one. The Faculty as employed are: Prof. N. J. Finney, President; J. R. Garrett, A. M.; Miss N. E. Grigsby, M. A.; Miss Ethel Fisk, Expression; Mrs. W. D. Kelley, Piano; Miss Willodine Curtis, Voice. The full student body numbers seventy.

## X. THE ASSEMBLY ENDOWMENT COMMISSION.

In February, 1918, twenty-five or thirty stalwart lovers of the Church met in the city of Memphis to discuss the educational needs of the present time. This conference organized and appointed a Committee on resolutions, and the report of this Committee on Resolu-



tions, as adopted by the Conference, becomes the soul and center of what is now known as the Endowment Movement, and is as follows:

Whereas the educational needs of our denomination are only provided for in part by the present educational policy of our Church, and believing that the time has fully come when some definite plan for concerted action should be adopted; therefore be it

Resolved: That this conference submit to the General Assembly, which convenes at Dallas, Tex., in May, 1918, the following policy and program:

1. That the General Assembly establish and maintain one educational institution, which shall include both a literary and a theological department.

2. That this institution shall be under the supervision of a Board of Trustees elected by the General Assembly.

3. That the General Assembly, at its meeting in May, 1918, provide for the raising of one-half million dollars as an endowment for the literary department.

4. That endowment of the two departments be kept separate and distinct.

5. That the following plan be adopted for the raising of the literary endowment:

(a) That the Assembly appoint an Endowment Committee.

(b) That no subscription be binding until at least a quarter of a million dollars be subscribed.

(c) That when a quarter of a million dollars has been subscribed all subscriptions become binding, and are due, and shall be paid in cash or by bankable notes bearing interest at the rate of six per cent per annum.

(d) That the provisions for the raising of the literary department endowment shall not interfere with the present plan of raising the theological endowment.

G. W. Furroughs, Chairman,  
W. B. Cunningham, Secretary.

Accordingly, the General Assembly adopted the report of the Committee on Education, which embraced these resolutions (1918, pp. 106-108), created the Educational Commission, and named its officers.

#### Committee on Endowment Fund.

Recommended by the Committee on Education and appointed by the Assembly to serve on the Endowment Fund Committee: H. S. Seagle, Chattanooga, Tenn.; J. E. Cortner, Marshall, Mo.; J. W. Pearson, Leonard, Tex.; L. B. Morgan, Richard City, Tenn.; T. C. Callicut, Rives, Tenn.; S. M. Gough, Gordonsville, Ky.; F. A. Brown, Marlow, Okla.; Harry Copper, New Holland, Ill.; and W. L. Welker, Fountain City, Tenn.—1918, pp. 27, 28.

The present officers of the Assembly's Educational Endowment

Commission are: D. M. McAnulty, Bolivar, Tenn., President; F. A. Seagle, Chattanooga, Tenn., Secretary and Treasurer. By leaps and bounds this fund is nearing the two hundred thousand mark, and is now, November 20, 1919, \$167,814.08.

### XI. THE BOARD OF TITHING.

1. History of This Agency.—“As you consecrate yourself to God, you also consecrate your substance; and, being his steward, do you promise to contribute of that substance, as he may prosper you, to the support of the gospel?—Confession of Faith. From time immemorial it has been the custom of many of the judicatories of the Cumberland Presbyterian Church to appoint a committee on systematic beneficence.

“Your Committee on Tithing recommend that Ruling Elder Vint N. Bray, of Springfield, Mo., be recognized by this General Assembly as its Tithing Secretary.—1913, p. 200.

The next Assembly, under recommendation of its Committee on Tithing, created a Board of Tithing, with the following men composing that Board: Hon. Vint N. Bray, Secretary, Rev. R. H. Morefield, Hon. Frank McDonald, Prof. W. E. Morrow, Hon. J. T. Beard, Rev. H. S. McCord, Rev. C. W. Norwood, and Rev. C. A. Galloway.—1814, p. 164.

The personnel of this Board, 1918: Rev. C. R. Matlock, Rev. W. Y. Durrett, Elder S. M. Gough, Elder R. B. Shaver, Rev. M. L. Clemens, Elder H. M. Baker, Elder Frank McDonald, Elder Walter E. Morrow, and Rev. J. G. Stewart.

### XII. OTHER BOARDS OF THE ASSEMBLY.

Other Boards, such as the Legal Board, the Board of Legal Finance, and the Advisory Board, were found to be necessary in the stirring times following the attempted union, were created and empowered by the Assembly, did well the work committed to them; and, now, under better conditions, have been dismissed.

### XIII. PERMANENT COMMITTEES AND COMMISSIONS.

For years the General Assembly has been in the habit of entrusting specially important enterprises which fell outside of the immediate field of any of the boards, to permanent committees and commissions. Those which are active and serving at the present time are:

Permanent Committees: Temperance, Historical Society, Denominational Textbooks, Endowment.

Commissions: War Work, Seminary Visitation, Legal Fund, Doc-

trinal Examination of manuscript before publication, New Cumberland Digest.

## RULES OF ORDER FOR CHURCH COURTS

### THE DELIBERATIVE BODIES.

There are four regularly organized and authorized Church courts in the Cumberland Presbyterian Church: the Church Session, the Presbytery, the Synod, and the General Assembly.

1. The Church Session.—Meets on its own adjournment, or call, and a majority constitutes a quorum.

2. The Presbytery.—Must meet at least once a year, on its own adjournment, and three ordained ministers form a quorum.

3. The Synod.—Must meet as often as once in two years, all ordained ministers and one elder from each church are members, has oversight of the Presbyteries, missions, and schools in its bounds, and five ordained ministers constitute a quorum.

4. The General Assembly.—Must meet as often as once every two years, has oversight of Synods, the various Boards of the Church, its theological schools and doctrinal standards, and the general welfare of the denomination. With this body, twenty commissioners constitute a quorum.

#### 1. The Deliberative Body in Session.

There are some things essential to every Church court: a presiding officer, a clerk to make record of transactions, a membership (quorum) present, and laws to govern the presentation and dispatch of whatever business may come before the court. For our Church these laws are clearly set forth in "Rules of Order," in the Confession of Faith.

#### 2. Order of Business.

1. Devotions.
2. Calling the roll.
3. Reading of minutes of last meeting.
4. Communications addressed to the body.
5. Reports of standing committees.
6. Reports of select committees.
7. Unfinished business.
8. New Business.
9. Adjournment.
10. Prayer.

#### 3. Some Rules Governing Motions

That do not require a second: (a) orders of the day; (b) nominations. Undebatable motions: (a) to adjourn; (b) appeals, when related to indecorum; (c) to close debate; (d) to extend debate; (e) to lay on the table; (f) to limit debate; (g) to postpone to certain date; (h)

the previous question; (i) to read papers; (j) to suspend the rules; (k) to take from the table; (l) to withdraw a motion.

Motions which open the main question: (a) to commit; (b) to postpone indefinitely; (c) to rescind.

Motions which cannot be amended: (a) to adjourn; (b) to amend an amendment; (c) appeals; (d) to lay on the table; (e) to take up orders of the day; (f) to postpone indefinitely; (g) the previous question; (h) to commit; (i) to rescind; (j) to suspend the rules; (k) to take from the table.

Motions which cannot be reconsidered: (a) to adjourn; (b) to lay on the table; (c) to suspend the rules; (d) to take from the table.

Motions which require a two-third vote: (a) to amend the rules; (b) to close debate; (c) to extend debate; (d) to limit debate; (e) to put the previous question; (f) to make a special order; (g) to suspend the rules; (h) to take up a question out of its regular order.

# INDEX

Accused, The, What if he fails to appear?.....	198
Accused, The, Called upon to say whether he is guilty.....	198
Admission of persons into the Church.....	70
Adjournment, Records may not be changed after.....	105
Adjournment, Failure to meet at time agreed on.....	143
Adjournment, All Church courts close with prayer.....	102
Advisory members and visiting brethren.....	115, 150
Agencies of the Assembly.....	205
Alliance, Pan-Presbyterian .....	189
Amendments proposed in woman ordination question.....	95
Amusements, Worldly .....	182
Anniversary of the Church, The.....	56
Appeal, The law of the.....	193
Appeal, Notice of and reason for must be given.....	196
Appeal, The rights of are mutual to each party.....	197
Appeal, The power to revive may be granted.....	197
Appeal, Equal rights to introduce new testimony.....	197
Appeal, What if the accused fail to appear?.....	198
Appeal, Synod cannot be made a final court of.....	153
Appeal pending, Suspension cannot be removed.....	88
Appeal stays action until higher court passes on case.....	196
Appeal of Mrs. Louisa A. Ward.....	200
Appeal of Rev. D. T. Waynick.....	200
Appeal of Mrs. L. M. Wosley.....	202
Appeals from session Presbytery decides.....	128
Appeals must be regularly brought.....	195
Assassination of President Lincoln, The.....	188
Assembly, The General.....	28, 153
Assembly, The first meeting of.....	28
Assembly refuses to change name of Church.....	53
Assembly directs sale of a church property.....	67
Assembly decides the rightful ownership of property.....	64
Assembly has met annually since 1829.....	155
Assembly, Basis of representation in.....	157
Assembly, Commissioners to.....	157
Assembly, A quorum of.....	158
Assembly must meet as often as once in two years.....	158
Assembly, Rejects bi-ennial sessions.....	158
Assembly, Provision when failing to meet on adjournment.....	159
Assembly, The Stated Clerk of.....	159, 164
Assembly, The Treasurer of.....	161, 164

Assembly, Its contingent tax.....	161, 165
Assembly alone may remit the contingent tax.....	162, 165
Assembly, The Minutes of.....	165
Assembly Minutes examined by lower courts.....	166
Assembly orders a new Digest.....	iv-vi
Assembly and systematic beneficence.....	74
Assembly should inquire into ordinations.....	125
Assembly creates the Synod.....	141
Assembly determines Synodic boundaries.....	141
Assembly, The Synod should obey.....	151
Assembly orders concerning reports of Boards.....	166
Assembly orders concerning premanent committees.....	166, 167
Assembly's Endowment Commission.....	228
Assembly's Standing Rules.....	167
Assembly's Budget Plan.....	76
Assembly's attitude toward other Churches.....	170
Assembly conducts fraternal correspondence.....	171
Assembly repeatedly refuses organic union.....	171
Assembly, Attitude toward certain religious societies.....	172
Assembly celebrates the Lord's Supper annually.....	174
Assembly on the preservation of the Union.....	186
Assembly plans a theological school.....	222
Assembly names new members of its Board.....	207, 211, 215, 218, 224, 222, 226, 227
Assembly makes deliverance on the attempted union.....	46
Assembly, The agencies of.....	205
Assembly, Other Boards of.....	230
Assembly, Permanent Committees of.....	230
Assembly, Commissions of.....	230
Assemblies, Moderators of past.....	156
Assemblies, Stated Clerks of past.....	156
Assembly, Attitude toward other Churches.....	170
Assembly, Attitude toward certain religious societies.....	172
Baptism, The sacrament of.....	174
Baptized in infancy, may one be baptized again?.....	175
Baptism of infants.....	175
Baptism, Sessions should enforce the law concerning.....	176
Baptism, Presbyteries should enforce the law.....	176
Basis of representation in General Assembly.....	157
Beneficence, Systematic.....	74
Bequests and gifts.....	69
Bethel College.....	227
Bible, The, In our public schools.....	173
Biennial sessions of General Assembly rejected.....	158
Blanks, The Assembly's statistical.....	169
Boards, Members of Church Boards.....	168

Board of Trustees of the General Assembly.....	205
Board of Publication, Origin and Location.....	210
Board of Publication, Charter of.....	212
Board of Trustees, Charter of.....	207
Board of Publication, Name changed to Cumberland Presbyterian Board of Publication.....	214
Board of Sunday Schools and Young People's Work.....	215
Board of Sunday Schools and Publication Unite.....	215
Board of Missions, Origin and location.....	216, 218
Board of Missions, Woman's.....	219
Board of Ministerial Relief, Location and charter.....	224, 225
Board of Education, Charter and personnel.....	226, 227
Board of Tithing, and present members.....	230
Board of Trustees of the Theological Seminary.....	223
Board of Trustees, Charter and personnel.....	224
Board of Missions, Relation to Church under its care.....	63
Boundaries of a local church defined.....	58
Boundaries of Synod determined by the General Assembly.....	141
Boundaries of Presbytery determined by Synod.....	145
Boundaries, in changing, Synod may have a voice.....	141
Budget Plan, The Assembly's.....	76
Calendar for offerings changed.....	75
Called meetings of Presbytery.....	114
Called meetings, Who are members of.....	114
Called meetings, May a Synod hold?.....	143
Candidates, The licensing of.....	119
Candidate without a letter of dismissal.....	119
Candidate is amenable to his church session.....	120
Card for systematic beneficence offerings.....	74
Causes without Process.....	72
Centennial at the birth-place.....	57
Centennial, Special Standing Committees.....	57
Centennial sermons and papers.....	57
Change of the name of the Church refused.....	53, 54, 55
Change of venue in trials not permitted.....	194
Changes in the Form of Government.....	28
Charge, The, Not to be omitted in ordination.....	128
Charter, Assembly's Board of Trustees.....	207
Charter, Board of Missions.....	219
Charter, Board of Publication.....	212
Charter, Woman's Board of Missions.....	220
Charter, Trustees of Theological Seminary.....	224
Charter, Board of Ministerial Relief.....	225
Church, The.....	50
Church, The, Defined.....	50
Church, The Cumberland Presbyterian.....	50

Church, The Anniversary of.....	56
Church, A Particular.....	58
Church, A, Represented in Presbytery.....	60
Church, Boundaries of a particular.....	59
Church, Assembly determines the rightful claimant.....	64
Church, Local, of its title to property.....	66
Church, Duty of supporting the.....	74
Church cannot be dissolved without its consent.....	62
Church property, Assembly directs sale of.....	67
Church property, Form of Deed to.....	64
Church property, Rightful ownership of.....	69
Church Property, Title to.....	66
Church Courts .....	101
Church Courts, Moderator of.....	103
Church Courts, The Clerks of.....	104
Church Courts, The Treasurer of.....	105
Church Courts, Must be opened and closed with prayer.....	102
Church, A, Becoming a constituent of Presbytery.....	60
Church Boards, and the regulations for.....	166
Church Boards, The members of.....	168
Church Courts must examine Assembly Minutes.....	166
Church Courts, Presiding Over.....	231
Church Courts, Rules governing business in.....	231
Church Covenant, Form of.....	70
Church Members .....	69
Church Members, Admitting.....	70
Church Members, from other Churches.....	71
Church Members, Names dropped.....	73
Church Members, Under jurisdiction of session.....	72
Church Member, May be retired when?.....	110
Church Officers .....	78
Church, The Centennial of.....	56
Church Session may retire name of member when?.....	110
Church Session has the care of the Sunday School.....	111
Church Session may be dissolved by Presbytery.....	112
Church Session, A licentiate is amenable to.....	120
Church Session, The.....	106
Church Sessions have no jurisdiction over ministers.....	131
Church Session, The Moderator of.....	107
Church Session, The Clerk of.....	108
Church Session, May hold meetings in absence of minister.....	108
Church Session has jurisdiction over its members.....	72, 109
Church Session, Process against elder or deacon.....	109
Churches, Presbytery has the power to group.....	137
Churches, Grouping of an order of Assembly.....	137
Churches, Presbytery has the power to unite.....	138



Churches, Presbytery has the power to divide.....	138
Circular Letter, The .....	2
Clerks of Church Courts.....	104
Clerks of past Assemblies.....	156
Clerk of the session.....	108
Clerk of the Presbytery.....	115
Clerk of the session should keep record of moneys.....	108
Clerk is creature of the church session.....	108
Clerk of the Synod.....	145
Clerks, Inefficient, to be removed.....	104
Commission, Ordination by .....	126
Commissions of the Assembly.....	230
Commissioners to the General Assembly.....	157
Commissioner, Elder not member, elected.....	99
Commissioner need not necessarily be a pastor.....	158
Commissioner must remain in body till final roll call.....	158
Commissioner accountable to his Presbytery.....	158
Committee on Pastorates and Supplies.....	134
Committee, Who are competent to act on.....	85
Communion of the Lord's Supper.....	176
Communion should be celebrated once a quarter.....	176
Communion, Pure fruit of the vine should be used in.....	176
Compact Entered into.....	17
Complaint, A defined.....	194
Complaint of Rev. Harrison Whitson.....	199
Complaints, Presbytery decides.....	128
Confession of Faith, Ordered to be prepared.....	26
Confession of Faith (of Synod) revised.....	28
Confession of Faith, Assembly adopts.....	38
Confession of Faith must be adopted by all officers.....	82, 116
Confession, Final action on revision.....	44
Congregation, When may Presbytery cut off.....	62
Congregational bounds defined.....	59, 61
Commission, The Assembly's Endowment.....	228
Constitution, Proposed amendments (Woman's question).....	95
Constitution of the Woman's Board of Missions.....	221
Constituent elements of the Presbytery.....	113
Constituent elements of the Synod.....	141
Contingent Tax of the General Assembly.....	161
Contingent Tax based upon number of communicants.....	162
Contingent Tax, Stated Clerk cannot remit.....	162
Corresponding Members .....	150
Course of study for ordination .....	125
Courts of the Church.....	101
Court of Final Appeal is the Assembly.....	198
Covenant, A form of church covenant.....	70

Cumberland Presbyterian Church, The.....	50
Cumberland Presbytery .....	1
Cumberland Synod .....	23
Deacon, The .....	99
Deacon may not be elected for a limited time.....	100
Deacon, Who should be chosen to this office?.....	100
Deacons must keep a record.....	100
Deacon, The Church Session may retire.....	111
Defection into another Church.....	208
Defection of the (Union) Board of Missions.....	208
Deliberative Bodies, Rules for.....	231
Delinquent Presbyteries, Stated Clerk must report.....	163
Delinquent Presbyteries reported also to Synod.....	163
Deliverances of Assembly on Worldly Amusements.....	182
Deliverances of Assembly on Temperance.....	184
Deliverances of the Assembly on the use of tobacco.....	186
Deliverances of the Assembly on War Resolutions (1861).....	187
Deliverances on the World-War (1914-1918).....	189
Deliverances on the Roman Catholic Church.....	190
Demit his office, A minister may.....	88
Deposed minister, Restoring a.....	87
Directory of ministers.....	88
Directory for joining the church by letter.....	71
Dismission, A letter of.....	72
Dissents and Protests .....	194
Doctrines, First written statement of our.....	23, 25
Doctrine, Presbytery decides questions of.....	131
Double Voting (Repeating) Sustained.....	85
Double Voting (Repeating) Condemned.....	86
Dropping names from the church roll.....	73
Dropped from the roll, a licentiate may be.....	120
Early Missionary Work of the Church.....	216
Education, The Board of.....	226
Education, Permanent Endowment.....	228
Elders, Ruling .....	93
Elders, Who should be elected to this office?.....	93
Elder cannot be elected for a limited time.....	96
Elder may be elected to preside over the body.....	97
Elder not compelled to vote as instructed (?).....	99
Elder, not a member, may be sent to Assembly.....	99
Elder, His session may retire him.....	111
Elder, not a member, may serve on Permanent Committees.....	98
Elder resigns to whom?.....	110
Elk and Logan Presbyteries Formed.....	21
Endowment Commission, The Assembly's.....	228
Equable, The Sustaining Tax must be.....	137

European War, Assembly's attitude toward.....	189
Expunge from the record unanimous vote necessary.....	105
Electing Elders to Moderate.....	97
Family Worship .....	177
Final adoption of the Confession of Faith.....	44
Final Roll Call, Members should answer to.....	157
First printed statement of our doctrines.....	23 et seq.
Fiscal Year, When does it close?.....	169
First Meeting of the Assembly.....	155
Formation of the Assembly.....	154
Form of Church Government, Changes in.....	28
Form of Church Government.....	34
Form of Deed to church property.....	64
Forthcoming letter is an obsolete custom.....	117
Founders of the Church.....	1
Fruit of the vine used in communion.....	176
General Assembly, The.....	153
General Assembly, The Formation of.....	154
General Assembly, The First Meeting of.....	155
General Assembly, Basis of representation in.....	157
General Assembly, A Quorum in.....	158
General Assembly must meet once in two years.....	158
General Assembly, Provisions for when it fails to meet.....	159
General Assembly has met annually since 1829.....	155
General Assembly, The Stated Clerk of.....	159, 165
General Assembly, Duties of the Stated Clerk.....	160
General Assembly, The Treasurer of.....	161, 164
General Assembly, The, in Communion.....	177
General Assembly, The Contingent Tax to.....	161
General Assembly, Taxes Presbyteries, not preachers.....	162
General Assembly, Attitude toward other Churches.....	170
General Assembly conducts fraternal correspondence.....	171
General Assembly repeatedly refuses organic union.....	171
General Assembly enters Pan-Presbyterian Alliance.....	189
General Assembly plans a Theological School.....	222
General Assembly, Agencies of.....	205
General Assembly, Board of Trustees of.....	205
General Assembly commends its weekly papers.....	214
General Assemblies, Moderators of the past.....	156
General Assemblies, Stated Clerks of the past.....	156
Gifts and Bequests.....	69
Grouping of Churches.....	136
Grouping of Churches, Presbytery has the power.....	137
Grouping of Churches is an order of the Assembly.....	137
Group of Churches must obey orders.....	137
Historical Papers .....	57

Historical Statement .....	1
Home, The Widows' and Orphans' .....	226
How often must Presbytery meet? .....	113
Inefficient Clerks to be removed .....	104
Infants, The Baptism of .....	175
Introduction (to the Digest) .....	iii
Invited, An invited Moderator cannot vote .....	107
Joining the Church .....	70
Judiciary, The .....	193
Judicial Deliverances .....	193
Jurisdiction over a dismissed minister .....	83
Jurisdiction over the church member .....	109
Lay Worker, Who should license? .....	122
Law, The, Stated .....	193
Law, The, Applied .....	198
Letter, The Circular .....	2
Letter of Dismission .....	72
License, What Presbytery may restore? .....	122
Licensure, The examination preceding .....	119
Licensure, Qualifications for .....	118
Licentiate, Status declared .....	83
Licentiate may serve as a representative .....	137
Licentiate amenable to his church session .....	120
Licentiate, name dropped without reason .....	120
Licentiate may perform the marriage ceremony .....	121
Licentiate, name dropped from the roll .....	120
Licentiate sits in Presbytery as a representative .....	122
List of Stated Clerks .....	159
Logan and Elk Presbyteries formed .....	21, 22
Lord's Day, the sanctification of .....	178
Lord's Supper, The .....	176
Loyalists enter protest .....	46
May a probationer serve as a ruling elder? .....	121
McGready, Rev. James .....	3
Meetings of Synod .....	143
Members, Admitting into the church .....	70
Members, Resident and non-resident .....	62
Members of Church Boards, laws regulating them .....	167, 169
Members of Synod must attend its meetings .....	142
Members of one Presbytery living in another .....	82
Memorial of Rev. Harrison Whitson .....	199
Men chosen to the office of deacon .....	99
Memorial to open the case of Mrs. Woosley .....	203
Merger, The loyalists protest .....	46
Merger, Assembly make deliverance on .....	46
Merging of two Boards, Publication and Sunday Schools .....	215

Minister an officer of the church.....	80
Minister preferred to bishop as his title.....	81
Minister must adopt the Confession of Faith.....	82, 116
Minister may not encroach another's field.....	82
Minister living in one Presbytery and membership in another..._	82
Minister who has entered another communion.....	84
Minister may not fill two conflicting offices.....	85
Minister may demit from his office.....	88
Minister may transfer membership by letter only.....	117
Minister can be received by letter only.....	117
Minister cannot be received on "Letter to follow".....	117
Minister, Who has jurisdiction over dismissed?.....	83
Minister holding letter cannot sit in Synod.....	83
Minister, Petitions to return into the Communion.....	84
Minister suspended, Relation of to Presbytery.....	86
Minister, Restoring a suspended or deposed.....	87
Minister, Synod may not transfer membership of.....	147
Ministers to be directed by their Presbyteries.....	82
Ministers must attend the meetings of Synod.....	86
Ministers, A directory of to be printed in the Minutes.....	88
Ministers, Presbytery has power to receive.....	116
Ministers, Presbytery has power to judge.....	128
Ministers, Presbytery can censure its own.....	130
Ministers are under the oversight of Presbytery.....	131
Ministers, Ordained, are not to be examined again.....	138
Ministers should set good example in Sabbath observance.....	180
Ministers, a mortuary list to be printed in minutes.....	170
Ministry, a woman may not be ordained into the.....	88
Minutes may not be corrected after review.....	152
Minutes of the General Assembly.....	165
Minutes of Assembly to be examined by lower courts.....	166
Ministerial Relief, The Board of.....	225
Miscellaneous Regulations, The Assembly's.....	163
Missions, The Board of.....	216
Mission Church, A, and the Board of Missions.....	63
Missions, The Woman's Board of.....	219
Moderator of the Church Courts.....	103
Moderator of the Church Session.....	107
Moderator (Invited) cannot vote.....	107
Moderator of Presbytery.....	114
Moderator of the Synod.....	145
Moderators of the past Assemblies.....	156
Mortuary list of ministers printed in minutes.....	170
Motions, Rules of, Governing in Church Courts.....	231
Name of church member may be retired when?.....	73
Names retired upon a separate roll.....	73

New church, The organizing of.....	58
New church enters Presbytery when?.....	60
New Digest ordered by Assembly.....	iv-vi
New witnesses may be introduced in trial.....	197
No change of venue may be permitted.....	194
Non-resident members, Who are they?.....	62
Notice of appeal and reasons must be given the court.....	196
Non-attendance, Process against.....	73
Non-resident List .....	73
Offerings, The calendar for, changed.....	75
Officers of the Church.....	78
Officers cannot be deposed except by trial.....	96
One Hundred and Two Loyal Commissioners, The.....	48
Office of Deacon, Men chosen to this.....	99
Order of Business in Church Courts.....	231
Ordination Service, The .....	126
Ordination Prayer and Charge not to be omitted.....	128
Ordinations under review of Synod.....	151
Ordination on the Sabbath Day.....	128
Ordination by Commission.....	126
Ordinations, Assembly should inquire into.....	125
Organic Union, Assembly has repeatedly refused.....	171
Organizing a new church.....	58
Organizing a new church, when forbidden.....	59
Origin of our Church name.....	52
Origin of Pastorates and Supplies Committee.....	134
Original Jurisdiction, Session has over members.....	109
Orphans' and Widows' Home, The.....	226
Orphans' Home, The Managers of.....	226
Other Agencies of the Assembly.....	230
Papers and Periodicals.....	214
Particular Church, A.....	58
Pastors should require Sabbath observance.....	180
Pastorates and Supplies Committee.....	134
Permanent Committees, Reports of.....	166
Permanent Committees of Assembly.....	230
Personnel of Woman's Board of Missions.....	222
Petition of a defected minister.....	84
Powers of Presbytery.....	115
Power to revive an appeal.....	197
Prayer and charge not to be omitted in ordination.....	128
Prayer, All courts open and close with.....	102
Presbytery, The .....	112
Presbytery, The constituent elements of.....	113
Presbytery, What is a quorum of.....	113
Presbytery, Special meetings of.....	114

Presbytery, How often must it meet?-----	113
Presbytery, Provision when failing to meet-----	114
Presbytery, Organized by Synodical Authority-----	112
Presbytery, What church can be represented in?-----	113
Presbytery, Relation of a dismissed minister to-----	83
Presbytery, The Moderator of-----	114
Presbytery, The Stated Clerk of-----	115
Presbytery, Courtesies to visitors defined-----	115
Presbytery, Its Powers-----	115
Presbytery has power to receive ministers-----	116
Presbytery cannot receive members on promise of a letter-----	117
Presbytery has power to receive and license probationers-----	118
Presbytery may drop name of licentiate from roll-----	120
Presbytery ordains to the full work of the ministry-----	123
Presbytery decides complaints and appeals-----	128
Presbytery judges its ministers-----	128
Presbytery has power to censure its ministers-----	130
Presbytery has power to remove suspension-----	130
Presbytery may rescind its own acts-----	130
Presbytery has power to pass upon doctrines-----	131
Presbytery has rights over its ministers-----	131
Presbytery has rights over its churches-----	132
Presbytery seeks welfare of its churches-----	63, 133
Presbytery has power to unite or divide churches-----	138
Presbytery cannot examine ordained ministers-----	138
Presbytery may elect a commissioner who is not a member-----	99
Presbytery may commission an elder who is not a member-----	99
Presbytery allows elder, not a member, to represent his church---	139
Presbytery is order by Synod to drop name from roll-----	148
Presbytery, An unconstitutional demand from Synod-----	150
Presbytery, Commissioners are accountable to-----	158
Presbytery, not the preacher, is taxed-----	162
Presbytery, The Stated Clerk of-----	115
Presbytery, Called meetings of-----	114
Presbytery, Who are members of called meetings?-----	114
Presbytery, Synod orders to correct minutes-----	152
Presbytery, A new church enters-----	60
Presbytery cannot dissolve church without its consent-----	62
Presbytery may cut off a church when?-----	62
Presbytery rightful owner when not otherwise expressed-----	69
Presbyteries may elect elders to positions-----	139
Presbyteries should enforce the church laws-----	176
Presbyterial boundaries, Synod determines-----	145
Presbyterial irregularities Synod cannot heal-----	147
Presbyterial and Synodical meetings-----	165
Presbyterial Alliance, Assembly Enters-----	189

Preservation of the Federal Union.....	186
Presiding over a church court.....	231
Probationer, May he serve as ruling elder?.....	121
Probationers, Presbytery receives and licences.....	118
Probationers, Qualifications for, Licensure.....	118
Probationers, Presbytery alone may ordain.....	118
Process against an elder or deacon.....	109
Protests and Dissents.....	194
Protest against the merger.....	46
Proof-Texts of the Confession of Faith.....	35, 37
Provision for failure to meet in church courts.....	114, 143
Publication, The Board of.....	210
Public Schools, The Bible in Our.....	173
Publish Names Chairmen Pastorates and Supplies.....	136
Qualifications for Licensure.....	118
Quorum, What Constitutes in Presbytery.....	113
Quorum, What Constitutes in Synod.....	141
Quorum, What Constitutes in General Assembly.....	158
Reasons for Confessional Revision.....	31
Reasons why we do not change our name.....	53, 54, 55
Records, Verbal testimony not admissible in.....	105
Records, To expunge matter from.....	105
Records, Deacons must keep.....	100
Reception of church members.....	70, 71
Records may not be changed after adjournment.....	105
Regulations governing the State Clerk.....	163
Relation of a suspended minister to Presbytery.....	86
Remanding with instructions.....	149
Report on Revision of Confession of Faith.....	38
Representative not enrolled before church is received.....	139
Reports of Boards and Permanent Committees.....	166
Representative, a licentiate serves as.....	137
Rescind its acts, Presbytery has the power to.....	130
Resident and non-resident members.....	62
Restoring a deposed minister.....	87
Retiring a ruling elder from office.....	111
Revision, Reason for.....	31
Revision, The final action upon.....	44
Rev. James McGready.....	3
Rev. David Rice.....	4
Rev. Harrison Whitson, memorial of.....	199
Rightful ownership of property determined.....	69
Roman Catholic Church, Deliverance on.....	190
Rotation in office.....	97
Ruling Elder, The.....	93
Ruling Elder, Who shold be elected to this office.....	93



Ruling Elder cannot be elected for a limited time.....	96
Ruling Elder cannot be deposed except by trial.....	96
Ruling Elder elected to moderate church courts.....	97
Ruling Elder, not a member, may be made a commissioner.....	99
Ruling Elder not compelled to vote as insturcted (?).....	99
Ruling Elder, To whom should he resign?.....	110
Rules of Order for Church Courts.....	231
Rules in parliament, governing the motion.....	231
Sabbath Day, How it should be spent.....	179
Sabbath Day, Church members' duty therein.....	179
Sabbath Observance Committee a Requirement in Presbytery....	180
Sabbath Observance, Ministers to set a good example.....	180
Sacraments, The .....	174
Sanctification of the Lord's Day.....	178
Seated, Who Seated in Church Courts.....	148
Secret Worship .....	177
Seminary, The Theological .....	222
Separate Roll, Retired upon a.....	73
Sessions should enforce the law concerning baptism.....	176
Session, The Church.....	106
Session, The, has care of the Sunday school.....	111
Session may retire an elder.....	111
Special meetings of Presbytery.....	114
Standing Rules of the Assembly.....	167
Stated Clerk of the General Assembly.....	159
Stated Clerk of the Assembly, Duties of.....	160
Stated Clerk may be appointed by the Moderator.....	160
Stated Clerk reports delinquent Presbyteries to Synod.....	163
Stated Clerk of former Assemblies, List of.....	159
Stated Clerk, Regulations governing.....	164
Stated Clerk may not remit contingent tax.....	162
Stated Clerk of Presbytery.....	115, 165
Stated Clerks of former Assemblies.....	156
Status of licentiate declared.....	83
Statistical Blanks .....	169
Sunday Mails and Sunday Trains.....	180
Sunday schools under care of church session.....	111
Supper, Communion of the Lord's.....	176
Supporting the Church.....	74
Suspended or deposed minister, restoring a.....	87
Suspension holds while appeal is pending.....	88
Suspension, Presbytery has power to remove.....	130
Sustaining taxes must be equable.....	137
Synod Formed, The .....	140
Synod, The constituents of.....	140
Synod, What constitutes a quorum.....	141

Synod, Created by the General Assembly.....	141
Synod, Boundaries determined by Assembly.....	141
Synod, The members should attend.....	142
Synod, The meetings of.....	143
Synod, Provisions for when it fails to meet.....	143
Synod, May a Synod have a called meeting?.....	143
Synod, Meeting after its adjournment time.....	144
Synod, The Moderator of.....	145
Synod, The Clerk of.....	145
Synod, One holding a letter cannot sit in.....	83
Synod, Advisory Members of.....	150
Synod, Visiting Brethren in.....	150
Synod, Only regular ministers and elders may sit in.....	152
Synod has voice in changing its boundaries.....	141
Synod determines Presbyterianial boundaries.....	145
Synod may not transfer a minister.....	147
Synod should name Presbytery in making out a roll.....	147
Synod cannot legalize irregularities of Presbytery.....	147
Synod may order Presbytery to drop a name from roll.....	148
Synod may remand with instructions.....	149
Synod must not make unlawful demands upon Presbytery.....	150
Synod meeting on Sunday not commendable.....	151
Synod may not correct minutes after reviewed by Assembly.....	152
Synod may direct Presbytery to correct its minutes.....	152
Synod cannot be made a court of final appeal.....	153
Synod alone has power to create a Presbytery.....	145
Synod must review ordinations in its Presbyteries.....	151
Synod has not jurisdiction over the minister.....	101, 102
Synodical and Presbyterianial Meetings.....	165
Systematic Beneficence .....	120
Table of Contents.....	vii
Taxes for sustentation must be equable.....	137
Temperance, Deliverances on .....	184
Theological Seminary, The.....	222
Theological School, Assembly Plans.....	222
Tithing, The Board of.....	230
Title to church property.....	66
Title depends on specific terms in the deed.....	66
Titles not to be printed after names in the minutes.....	169
To whom does a ruling elder resign?.....	110
Tobacco, Resolutions on the use of.....	186
Transfer of membership is by letter only.....	117
Treasurer, The, of Church Courts.....	105
Treasurer of the General Assembly.....	161, 164
Trial for Ordination, Course of Study for.....	123, 127
Trustees of the Theological Seminary.....	223

Trustees of the General Assembly.....	224
Unanimous vote required to expunge from records.....	105
Union, organic, repeatedly fails.....	171
Union, The Assembly on the preservation of.....	186
Venue, Change of, not permitted.....	194
Verbal testimony not admissible in records.....	105
Victoria Jackson Home, The.....	226
Visiting Brethren .....	115, 150
Ward, Mrs. Julia A, the appeal of.....	200
War-Work Committee, Report of.....	189
Waynick, Rev. D. T., the appeal of.....	200
What Presbytery may restore a license?.....	122
When may a church be represented in Presbytery?.....	113
When may Presbytery cut off a church?.....	62
When the organizing of a new church is forbidden.....	58
When may a church session be dissolved by Presbytery?.....	112
Witnesses, New witnesses may be introduced.....	197
Whitson, Rev. Harrison, The memorial of.....	199
Who may be seated in the body?.....	148
Who is competent to act on committees?.....	85
Who should be elected ruling elders?.....	93
Who are members of a called meeting?.....	114
Who has jurisdiction over a dismissed minister?.....	83
Who has original jurisdiction over church members?.....	106
Woman's Board of Missions, The.....	219
Woman, A, may not be ordained to the ministry.....	88
Woman, A, may not be ordained a ruling elder.....	94
Woman, A, may be ordained a ruling elder.....	94
Woman, A, seated in Assembly as a Commissioner.....	94
Women may be officially appointed to care for the sick.....	100
Woodsley, Mrs. L. M., The appeal of.....	202
World-War Deliverances .....	189
Worldly Amusements, Assembly's attitude toward.....	182
Worship, family and secret .....	177
Year, When the Fiscal Year Closes.....	169
Young People's Work, Board of.....	215

## SUNDAYS CALENDAR—1918 TO 1932.

1918			1923			1928		
Jan. ....	6	13 20 27 ..	Jan. ....	7	14 21 28 ..	Jan. ....	1	8 15 22 29
Feb. ....	3	10 17 24 31	Feb. ....	4	11 18 25 ..	Feb. ....	5	12 19 26 ..
Mar. ....	3	10 17 24 31	Mar. ....	4	11 19 25 ..	Mar. ....	4	11 18 25 ..
Apr. ....	7	14 21 28 ..	April ....	1	8 15 22 29	April ....	1	8 15 22 29
May ....	5	12 19 26 ..	May ....	6	13 20 27 ..	May ....	6	13 20 27 ..
June ....	2	9 16 23 30	June ....	3	10 17 24 ..	June ....	3	10 17 24 ..
July ....	7	14 21 28 ..	July ....	1	8 15 22 29	July ....	1	8 15 22 29
Aug. ....	4	11 18 25 ..	Aug. ....	5	12 19 26 ..	Aug. ....	5	12 19 26 ..
Sept. ....	1	8 15 22 29	Sept. ....	2	9 16 23 30	Sept. ....	2	9 16 23 30
Oct. ....	6	13 20 27 ..	Oct. ....	7	14 21 28 ..	Oct. ....	7	14 21 28 ..
Nov. ....	3	10 17 24 ..	Nov. ....	4	11 18 25 ..	Nov. ....	4	11 18 25 ..
Dec. ....	1	8 15 22 29	Dec. ....	2	9 16 23 30	Dec. ....	2	9 16 23 30
1919			1924			1929		
Jan. ....	5	12 19 26 ..	Jan. ....	6	13 20 27 ..	Jan. ....	6	13 20 27 ..
Feb. ....	2	9 16 23 ..	Feb. ....	3	10 17 24 ..	Feb. ....	3	10 17 24 ..
Mar. ....	2	9 16 23 30	Mar. ....	2	9 16 23 30	Mar. ....	3	10 17 24 31
April ....	6	13 20 27 ..	April ....	6	13 20 27 ..	April ....	7	14 21 28 ..
May ....	4	11 18 25 ..	May ....	4	11 18 25 ..	May ....	5	12 19 26 ..
June ....	1	8 15 22 29	June ....	1	8 15 22 29	June ....	2	9 16 23 30
July ....	6	13 20 27 ..	July ....	6	13 20 27 ..	July ....	7	14 21 28 ..
Aug. ....	3	10 17 24 31	Aug. ....	3	10 17 24 31	Aug. ....	4	11 18 25 ..
Sept. ....	7	14 21 28 ..	Sept. ....	7	14 21 28 ..	Sept. ....	1	8 15 22 29
Oct. ....	5	12 19 26 ..	Oct. ....	5	12 19 26 ..	Oct. ....	6	13 20 27 ..
Nov. ....	2	9 16 23 30	Nov. ....	2	9 16 23 30	Nov. ....	3	10 17 24 ..
Dec. ....	7	14 21 28 ..	Dec. ....	7	14 21 28 ..	Dec. ....	1	8 15 22 29
1920			1925			1930		
Jan. ....	4	11 18 25 ..	Jan. ....	4	11 18 25 ..	Jan. ....	5	12 19 26 ..
Feb. ....	1	8 15 22 29	Feb. ....	1	8 15 22 ..	Feb. ....	2	9 16 23 ..
Mar. ....	7	14 21 28 ..	Mar. ....	1	8 15 22 29	Mar. ....	2	9 16 23 30
April ....	4	11 18 25 ..	April ....	5	12 19 26 ..	April ....	6	13 20 27 ..
May ....	2	9 16 23 30	May ....	3	10 17 24 31	May ....	4	11 18 25 ..
June ....	6	13 20 27 ..	June ....	7	14 21 28 ..	June ....	1	8 15 22 29
July ....	4	11 18 25 ..	July ....	5	12 19 26 ..	July ....	6	13 20 27 ..
Aug. ....	1	8 15 22 29	Aug. ....	2	9 16 23 30	Aug. ....	3	10 17 24 31
Sept. ....	5	12 19 26 ..	Sept. ....	6	13 20 27 ..	Sept. ....	7	14 21 28 ..
Oct. ....	3	10 17 24 31	Oct. ....	4	11 18 25 ..	Oct. ....	5	12 19 26 ..
Nov. ....	7	14 21 28 ..	Nov. ....	1	8 15 22 29	Nov. ....	2	9 16 23 30
Dec. ....	5	12 19 26 ..	Dec. ....	6	13 20 27 ..	Dec. ....	7	14 21 28 ..
1921			1926			1931		
Jan. ....	2	9 16 23 30	Jan. ....	3	10 17 24 31	Jan. ....	4	11 18 25 ..
Feb. ....	6	13 20 27 ..	Feb. ....	7	14 21 28 ..	Feb. ....	1	8 15 22 ..
Mar. ....	6	13 20 27 ..	Mar. ....	7	14 21 28 ..	Mar. ....	1	8 15 22 29
April ....	3	10 17 24 ..	April ....	4	11 18 25 ..	April ....	5	12 19 26 ..
May ....	1	8 15 22 29	May ....	2	9 16 23 30	May ....	3	10 17 24 31
June ....	5	12 19 26 ..	June ....	6	13 20 27 ..	June ....	7	14 21 28 ..
July ....	3	10 17 24 31	July ....	4	11 18 25 ..	July ....	5	12 19 26 ..
Aug. ....	7	14 21 28 ..	Aug. ....	1	8 15 22 29	Aug. ....	2	9 16 23 30
Sept. ....	4	11 18 25 ..	Sept. ....	5	12 19 26 ..	Sept. ....	6	13 20 27 ..
Oct. ....	2	9 16 23 30	Oct. ....	3	10 17 24 31	Oct. ....	4	11 18 25 ..
Nov. ....	6	13 20 28 ..	Nov. ....	7	14 21 28 ..	Nov. ....	1	8 15 22 29
Dec. ....	4	11 18 25 ..	Dec. ....	5	12 19 26 ..	Dec. ....	6	13 20 27 ..
1922			1927			1932		
Jan. ....	1	8 15 22 29	Jan. ....	2	9 16 23 30	Jan. ....	3	10 17 24 31
Feb. ....	5	12 19 26 ..	Feb. ....	6	13 20 27 ..	Feb. ....	7	14 21 28 ..
Mar. ....	5	12 19 26 ..	Mar. ....	6	13 20 27 ..	Mar. ....	6	13 20 27 ..
April ....	2	9 16 23 30	April ....	3	10 17 24 ..	April ....	3	10 17 24 ..
May ....	7	14 21 28 ..	May ....	1	8 15 22 29	May ....	1	8 15 22 29
June ....	4	11 18 25 ..	June ....	5	12 19 26 ..	June ....	5	12 19 26 ..
July ....	2	9 16 23 30	July ....	3	10 17 24 31	July ....	3	10 17 24 31
Aug. ....	6	13 20 27 ..	Aug. ....	7	14 21 28 ..	Aug. ....	7	14 21 28 ..
Sept. ....	3	10 17 24 ..	Sept. ....	4	11 18 25 ..	Sept. ....	4	11 18 25 ..
Oct. ....	1	8 15 22 29	Oct. ....	2	9 16 23 30	Oct. ....	2	9 16 23 30
Nov. ....	5	12 19 26 ..	Nov. ....	6	13 20 27 ..	Nov. ....	6	13 20 27 ..
Dec. ....	3	10 17 24 31	Dec. ....	4	11 18 25 ..	Dec. ....	4	11 18 25 ..









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