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Woods, H.

The history of the
Presbyterian controversy

THE HISTORY

OF

THE PRESBYTERIAN CONTROVERSY,

WITH A

EARLY SKETCHES OF PRESBYTERIANISM.

BY H. WOODS.

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The opinion of the venerable Dr. Cleland, in regard to the merits of this work, is here inserted:

The "History of the Presbyterian Controversy," by the Rev. H. Woods, I have carefully read, and with no small interest and gratification. It embodies, in a succinct form, a large amount of matter founded on facts and evidences, contained in official and historical documents, not to be successfully controverted. It will serve admirably as a book of reference for the present generation, as well as a little storehouse of information for posterity, to whom it is especially commended. As for the *style*, it is familiar and agreeable, exhibiting a perspicuity and accuracy rarely to be found in similar modern productions, which makes the work at once both valuable and desirable of attainment. I cordially wish it a hearty patronage and extensive circulation.

THOMAS CLELAND.

P R E F A C E .

THE history of the controversy and schism of the Presbyterian Church embraces a very eventful period in the annals of the American Church. After the division, I was induced to undertake the task of writing a brief history of this whole matter. The work was accomplished with some labor and with great care. The statements made rest mainly upon documentary evidence ; and their correctness has not been controverted, though submitted to the public, through the "Presbyterian Sentinel," during the years 1841 and 1842.

The reason why I originally undertook this work was to gratify a very general desire to know *what caused the division of the Presbyterian Church, and what separates the two parties.* This anxiety for information was not confined to the Presbyterian Church. The members of other churches, and the people of the world were anxious to understand the subject.

I thought it best to present briefly some early sketches of Presbyterianism, as introductory to the main object. And especially did I deem it necessary to present some sketches of *primitive American Presbyterianism*, seeing this question runs through all the controversy: *Which party is the oldest, and which has departed most widely from the principles upon which the American Presbyterian Church was founded ?* The so called New School party professes to be as *old* as the so called Old School party.

The New School also urge that they stand upon the foundation of *primitive American Presbyterianism*; and that the measures that resulted in the dismemberment of the Church were the *new* or *reform* measures of the Old School. To settle questions of this nature, it was necessary to examine our early history, to see upon what principles the American Church was founded.

The history of so important a period, in the annals of our Church, should not only be presented to those now living, but should also be handed down to coming generations, that their curiosity may be gratified, and that they may learn wisdom from our sad experience.

Where I have relied on historians so correct, in general, as Moshier and Neal, I have not burdened the history by minute references. This was unnecessary, as what I have said of Presbyterianism prior to the organization of the Church in America, will not be controverted by any one. But as my statements in relation to the history of our Church in America may be subjected to the most rigid scrutiny, I have not only quoted good authorities, but have made my references sufficiently ample.

I have only to add, that I have written these chapters as I trust, in the fear of God. I have written them with an expectation that they will be read, and with a hope that they will promote the advancement of truth and righteousness.

THE AUTHOR.

GLASGOW, Ky. 1843.

THE PRESBYTERIAN CONTROVERSY.

CHAPTER I.

EARLY SKETCHES OF PRESBYTERIANISM — WESTMINSTER ASSEMBLY.

THE Church of Christ, before its alliance, in the fourth century, with the State under Constantine, flourished without the aid of civil power. Then the way seemed to be open, for a more extensive propagation of the gospel, than at any former time. But the advantages of this union were not real. Religion suffered by coming in contact with civil power and secular arrangements. The purity and simplicity of christianity were corrupted; forms and ceremonies were multiplied; a worldly policy controlled the ministers of religion, and soon the kingdom of Christ became a kingdom of this world.

From the fourth to the close of the fifteenth century, a long night of eleven centuries, the Church was in a deplorable condition, if we except the Waldenses, who, during that long period, seemed to stand aloof from the establishment. We no more expect to find a correct system of *Church Government* among the Roman Catholics, than a correct system of *faith*. And we know so little of the history of the Waldenses, that we ought not to say what form of Church government they maintained.

About the beginning of the sixteenth century, the light of the reformation began to dawn upon the world.

The Protestants all condemned the *government* of the Papists as well as their *doctrines*. But they could not agree among themselves. A very respectable portion believed, that the primitive form of Church government was *Presbyterian*. Among the advocates of this form of government was Calvin, who lived in the beginning of the sixteenth century. Mosheim says of him : "He maintained, that the church was to be governed, like the primitive Church, only by Presbyteries and Synods, that is, by assemblies of elders, composed both of the clergy and laity; and he left to a civil magistrate little more than the privilege of protecting and defending the Church, and providing for what related to its external exigencies and concerns. Thus this eminent reformer introduced into the Republic of Geneva, and endeavored to introduce into all the reformed churches, throughout Europe, that form of ecclesiastical government, which is called *Presbyterian*, from its neither admitting the institution of bishops, nor any subordination among the clergy; and which is founded on this principle, that "all ministers of the gospel are, by the law of God, declared to be equal in rank and authority."

The Presbyterian form of church government, which was adopted by Calvin, became the model for the reformed churches in many countries of Europe. Frederick III., elector of Palatine, in 1560, removed from their pastoral charge the Lutheran doctors, and filled their places with those who favored the doctrines and discipline of Calvin. This form of ecclesiastical government was embraced by his subjects and became the established institution. The Republic of Bremen adopted the same form of government. Other German States also regulated their faith and forms of government by that of Geneva.

The French Protestants, though they differed among themselves, were generally under the influence of the Swiss divines. This is easily accounted for from their proximity to Geneva, and the efforts of those zealous and eminent men, Calvin, Farel and Beza. Thus, before the middle of the sixteenth century, the French Protestants entered into the bonds of fraternal communion with the church of Geneva. It is therefore clear, that the Protestants of France were Presbyterians. They were however, called by their enemies, Huguenots—a term of reproach.

The church of Scotland was founded by John Knox, a disciple of Calvin; and from that time down to the present, Presbyterians have always been the most numerous.

The Presbyterian form of government was more reluctantly embraced in England than Scotland. Yet after the death of Henry VIII. the *doctrines* of Calvin were embraced by the ministers and churches of England. And in the reign of Edward VI. Geneva was acknowledged as a sister church, and the doctrines of Calvin were adopted, and rendered the public rule of faith. The *form of government*, however, then established was not Presbyterian. Yet the Presbyterians were a numerous body. But they were divided among themselves. Some were disposed to observe the ritual established by Edward. But others were conscientiously opposed to that form of government, and the rites and ceremonies enjoined. To such persons the name of *Puritans* was given, on account of their contending for a more pure worship than the liturgy set up by Edward.

A large portion of those called Puritans were Presbyterians, yet among the Puritans were reckoned the Independents and Baptists.

In the history of the English Church, it will be remembered, that the Presbyterians were called by different names—Puritans, Nonconformists, Dissenters—names common to all who oppose the discipline and forms of the established church.

The Congregationalists, were called Independents. The same names were often applied to them as to Presbyterians. They agreed in articles of faith; and the difference between the two bodies, in their views of church government, was at times deemed so unimportant, that they lived upon terms of correspondence and communion.

In Ireland, the reformation was not general, Yet from an early period there were Presbyterians there, and large and respectable churches.

At the commencement of the reformation in the Belgian Provinces, the people hesitated whether they would fashion their faith and discipline after Luther or Calvin. But after the middle of the sixteenth century, they publicly adopted the system of Calvin.

The reputation of this great Reformer, and of the Col-

lege at Geneva, together with the indefatigable zeal of the Swiss in extending their system of doctrine and government, will readily account for the prevalence of this system, not only among the reformed churches of France, but those of Belgium and other States near to France.

This system of faith and discipline found its way into Saxony, Poland, Prussia, Denmark, and nearly all the countries of Europe, and was extensively embraced at an early period of the reformation.

Though the Presbyterian system was extensively embraced, yet it is not to be inferred that there was a perfect uniformity. Moshem says: "This universal conformity was, indeed, ardently desired by the Helvetic doctors; but their desires, in this respect, were far from being accomplished."

On the intricate doctrine of *Predestination*--the primary cause of the salvation of the elect--or the ruin of the reprobate, some adopted one view and some another. And it was so in reference to some other deep subjects in theology.

There were differences in their form of discipline. Some were for a General Assembly, and others not. Some ordained elders for life; and some were for one year. Some believed in the *divine right* of Presbytery and others not. Some were for the toleration of other sects, and others not. That period of the world, however, was strongly marked by bigotry and intolerance. And in an age of so much intolerance, we are almost surprised to learn, that, at an early period of the reformation, this maxim, having a tendency to promote concord, was pretty generally adopted, viz.: "That Jesus Christ has left upon record no express injunctions with respect to the external form of government that is to be observed in his church." But this maxim was not carried into effect. The world had been so long accustomed to a union of church and State, that the great mass seemed never to think of any thing but an establishment. And men of learning and piety, in every sect, seemed to think their party was the only true church.

Upon a review of the feelings and policy of our ancestors, the English, Scotch and Irish, we find much to admire. They were the firm friends of the reformation, the bold

and courageous defenders of their liberties, the patrons of learning and of morals. But in their history, we find much to condemn. They were too rigid and uncompromising in things indifferent; too intolerant towards others, and too fond of the aid of civil power.

Indeed, the *honor* of the christian religion demands the concession long since made, that "*all parties of christians, when in power, have been guilty of persecution for conscience sake,*" and that "*it is unsafe and dangerous to trust any sort of clergy with the sword.*"

In England and Scotland, our Presbyterian ancestors, as well as others, were for *one* mode of worship, and *one* form of church government for the whole nation, to which all must conform. Perfect uniformity was attempted in Queen Elizabeth's reign; uniformity too, in many respects, about things indifferent, according to the opinions of the party in power. The contest was then mainly about unity of apparel. Those who refused the gown, cap, &c. did so because they regarded them as the garments of Popery. But for this refusal, ministers were cut off from the church and imprisoned, and families ruined. The cries of the people for preachers reached the court. But it pleased the bishops to let the people do without the means of grace, unless their preachers would take the *surplice and cap!*

Upon this fatal rock of *perfect uniformity* the Church of England split. Neal says: "The rigorous pressing of this act was the occasion of all the mischiefs that befell the church for above eighty years."

In consequence of their persecutions, the Puritans, in the reign of Charles I., began to make rapid settlements in North America. One remarkable instance—the celebrated John Cotton, a popular preacher, of meek and gentle disposition. He became a non-conformist, and omitted some of the ceremonies of the Church. He was informed against. He applied to the Earl of Dorset to befriend him. But the Earl sent him word, that, "*if he had been guilty of drunkenness, uncleanness, or any such lesser fault, he could have got his pardon, but the sin of Puritanism and non-conformity is unpardonable, and therefore you must fly for your safety.*" Upon this he traveled to

London in disguise, and took passage for New England, where he spent the remainder of his life.

In this reign, the Presbyterian Establishment of Scotland was made to quake. During the reign of Elizabeth and James I., the Presbyterians in the North were free from the troubles of their brethren in England. But when Charles I., in 1637, attempted to force upon them the liturgy of the English Establishment, they rallied under their Solemn League and Covenant, and finally triumphed over every attempt to subvert their system. Could we persuade ourselves that a union of Church and State is right, we would say that the Scotch deserve the greatest praise for their valor and conscientiousness in battling for their Establishment. Yet, during the reign of Charles I., the sitting of the long parliament, the protectorate of Cromwell, and the civil wars, the conduct of the Scotch Presbyterians was, in many cases, highly reprehensible. In some things they were as much to blame as those who desired to oppress them. Bishop Burnet says: "that the King and the Scots desired uniformity in church government, but with different views—the King was for bringing them to the English standard; whereas, the Scots intended to bring the English to theirs." And Neal says, the Scots insisted that "*there should be uniformity between the two nations.*"

In the contest between Charles I. and his Parliament, the Scotch and English Presbyterians and the Independents generally sided with the latter.

In 1643, the Westminster Assembly met, according to an ordinance of the Lords and Commons, in parliament. This was a convocation, neither according to Episcopacy or Presbytery. The parliament chose all the members, with a view to have their advice in settling the doctrine and government of the Church of England. They appointed in England thirty laymen—ten lords and twenty commoners—and one hundred and twenty-one divines; from Scotland, six laymen and five divines. More than one hundred met. Some were Episcopalians, some English Presbyterians, some Scotch Presbyterians, some Erastians, and some Independents. Few Episcopalians appeared, and soon withdrew, because of lay representation, and the number of men of puritanical stamp, and othe

reasons. Baxter says, that they who composed the Assembly "were men of eminent learning, godliness, ministerial abilities, and fidelity."

The Assembly, after a long and animated debating, went through their work. They agreed upon a Confession of Faith and Form of Government, and signed the Solemn League and Covenant, sent there from Scotland, with some slight alterations. The Solemn League and Covenant, though a short document, exerted a powerful influence, and proved eventually for England and for Presbyterianism, as *impolitic* as it was *intolerant*. It consisted of six articles, to the second of which there was the greatest objection. It reads as follows: "That we shall, in like manner, without respect of persons, endeavor the extirpation of popery, prelacy, (that is, church government by archbishops, bishops their chancellors and commissaries, deans, deans and chapters, archdeacons and all other ecclesiastical officers depending on that hierarchy) superstition, heresy, schism, profaneness, and whatever shall be found to be contrary to sound doctrine, and the power of godliness, lest we partake in other men's sins, and thereby be in danger to receive of their plagues; and that the Lord may be one, and his name one, in the three kingdoms."

This document was subscribed, not only by the Westminster Assembly, but by the parliament. The Committee of States in Scotland, ordered it to be subscribed in that kingdom, on penalty of the confiscation of goods, and rents and other punishments. All the lords of the Council were required to sign it, and those who did not, were declared enemies to religion and to their king and country. Orders were issued to seize their goods and apprehend their persons, upon which they fled into England. In England, all persons over the age of eighteen were ordered to subscribe it.

To the League and Covenant, there were many and weighty objections. It was regarded as a religious and civil *test act*, subjecting any one who did not sign it, to be proceeded against as a "*malignant*"—an enemy to religion and to his country. It was also opposed by some, because it bound them to acts of persecution—"the *extirpation*" of those who might be called *heretics* or *schismatics*. From the document we can easily see, that Episcopalians,

Independents and others would not be very hearty in subscribing it. But it was subscribed by multitudes of all creeds and classes. Some took the Covenant, because they thought the Protestant religion in danger; some, in obedience to the parliament; some because they wanted the assistance of Scotland, which was to be had on no other terms, and some to avoid danger.

It was not, however, to be supposed, that in so large an Assembly as that of Westminster, there was a perfect uniformity of views on all points. Neal says: "It is not to be wondered, that so many parties, with different views, should entangle the proceedings of this venerable body, and protract the intended union with the Scots."

There was some jarring when they came to sign the League and Covenant. Dr. Featly objected to one article. Dr. Burgess objected to several, and was persuaded to subscribe, after he had been suspended. The Scotch were for abjuring episcopacy as unlawful, but the English divines were against it. The English Commissioners were for a *civil league*, but the Scotch would have a *religious one*, to which Bishop Burnet says, "the English were obliged to yield, taking care at the same time to leave a door open for a latitude of interpretation." Thus, in the first article, they bound themselves to defend and preserve the reformation of religion, "in doctrine, worship, discipline and government", according to the word of God, and the example of the best reformed churches." Here was a latitude, that would suit all. The Episcopalian would have it "according to the word of God." But the Presbyterian would go a little farther, and have it also according to "the example of the best reformed churches." Thus, says Neal, "the wise men on both sides endeavored to outwit each other in wording the articles."

It would indeed be something strange, if there were not different views of doctrine and church government, among men who belonged to different sects—Scotch, English Presbyterians, Erastians, and Independents. The majority, at first, were in favor of such an episcopacy as they supposed existed in the early ages of the church. But for the sake of the alliance with the Scotch they declared for the Presbyterian form.

On the mode of baptism, there was at first some dif-

ference. One half were for *excluding dipping*. The other half, though they believed that affusion was the *lawful* mode, were unwilling to vote that *dipping* was not a valid baptism.

The Directory, in reference to prayer, was not well received by the Independents. Mr. Fuller says: "the Independents in the Assembly, were hardly persuaded to consent to it, for fear of infringing the liberty of prayer, yet being admitted to qualify some things in the preface, they complied."

On the subject of the *keys* and *open communion*, there was difference of opinion. Neal says: "The Presbyterians were for giving the power of the keys into the hands of the *ministers and elders*, as the Independents were to the whole *brotherhood*; but Lightfoot, Selden, Coleman and others, were for an open communion to whom the parliament were most inclinable." These latter were *Erastians*.

There were other points about which the members of the Assembly differed. Some objected to certain expressions relative to *reprobation, the imputation of Christ's obedience, &c.* But they at last agreed upon the Confession of Faith and Book of Discipline, as the best thing they could get, though all were not pleased with them. And that Confession, as since modified, certainly ranks, in the opinion of good judges, among the best systems of divinity ever published. Yet, from the history of those times, we learn that there was no small degree of dissatisfaction about the Confession of Faith. Neal, speaking of the Baptists, who were not represented in the Assembly, says: "These, joining with the *Independents* in the point of discipline and toleration, made them the more considerable, and encouraged their opposition to the Presbyterians, who were for establishing their own discipline, without regard to such as differed from them." In this, the Presbyterians greatly erred, and manifested an intolerant spirit. Even the good Mr. Baxter avowed that, "he abhorred unlimited liberty, or toleration of all."

The great question about the *divine right* of Presbytery was warmly debated during the sitting of the Assembly, as well as afterwards. Mr. Coleman was bold against this doctrine. He declaimed against it, not only in the

Assembly, but in the pulpit, "apprehending Presbytery would prove as arbitrary and tyrannical as prelacy, if it came in on the foot of a *divine claim*."

Here also the Independents erred; for in opposing the *divine right* of Presbytery, they advocated "a *divine right* of their own scheme." But, in the Assembly, the Presbyterians carried their point, by a large majority voting for the *divine right*. But the Independents entered their dissent in writing, and complained to the world "of the unkind usage they met with in the Assembly; that the papers they offered were not read; that they were not allowed to state their own questions," &c.

But when the matter came before the House of Commons, the Independents were joined by the Erastians. When the vote was there taken, the Commons voted against the *divine right*. Neal says, that "the disappointment of the Scotch Commissioners and their friends, at this vote in parliament, is not to be expressed."

Indeed, the entire book, as it came from the Assembly, and has been published to the world, never was approved by the English parliament. The parliament, however, made some concessions to the majority of the Assembly, but with such *provisios*, that it was evident they did not intend to part with the *sword*, or subject the civil powers to the church, which was very offensive to the Scotch and their adherents.

But when Parliament had now established the Presbyterial form of government, no one party of Christians was satisfied. The Episcopalians and Independents were excluded; and because the parliament would not come fully up to the Scotch notions of *divine right*, they were not pleased. And yet it is clear that what was done, was in a great degree to please the Scotch Commissioners. Bishop Kennet observes, that "the settling Presbytery was supported by the fear and love of the Scotch army, and that when they were gone home, it was better managed by the English army, who were for independency and a principle of toleration." In this divided state of affairs in England, the Scotch felt that they held the balance of power, and they seemed determined to impose their form of government upon the English.

Here was the grand error of our Scotch and English

Presbyterian ancestors. They were not satisfied with any thing short of *covenant uniformity* and *the divine right* of Presbytery. Of this Mr. Baxter, who was a Presbyterian, was in some degree sensible. He says, "that the Presbyterian ministers were so little sensible of their own infirmities, that they would not agree to tolerate those who were not only tolerable, but worthy instruments, and members in the church, prudent men, who were for *union in things necessary, for liberty in things unnecessary, and for charity in all.*"

Though the Independents were the advocates of toleration, yet their foundation was not very generous. They plead only for the toleration of themselves, the Baptists, and such as agreed in the fundamentals of religion.

Though no two denominations were more alike than the Presbyterians and Independents, yet in the latter part of the reign of Charles I., during the revolution, and protectorate of Cromwell, they had bitter strifes, growing out of the doings of the Westminster Assembly, attempts at uniformity, &c. Sectarian jealousy and rivalry rose high in the days of Cromwell, who inclined to independency. Therefore, the rigid Presbyterians were not satisfied with his government. And when he was succeeded by his son Richard, seeing no prospect of restoring the *Covenant* or obtaining *uniformity*, they united with the Royalists and Episcopalians to restore Charles II. which took place in 1660. In this the Scotch united, and sent the Earls of Crawford and Landerdale to Holland, "humbly to put his majesty in mind, that the Kirk of Scotland expected protection upon the footing of the Presbyterian establishment, without indulgence to sectaries." The profligate Charles II. agreed with the Presbyterians, to come to the throne upon their terms. Like promises he made to the Episcopalians and the Catholics. Thus, says Neal, "the credulous Presbyterians were gradually drawn into the snare, and made to believe, that *Presbytery* was to be the established government of the Church of England, under King Charles II." In uniting with the Royalists and Episcopalians, for the restoration of Charles, the most solemn promises were made them. But, says the historian just quoted, "the reader will judge hereafter, who were most to blame, the Episcopal party, for breaking

through so many solemn vows and protestations; or the Presbyterians, for bringing in the king without a previous treaty, and trusting a set of men, whom they knew to be their implacable enemies. I can think of no decent excuse for the former; and the best apology that can be made for the latter is, that most of them lived long enough to see their error and heartily repent it."

With the restoration of Charles II., the old constitution was restored, together with the Episcopal Church. By establishing Episcopacy, the king expected the great body of the nation, Presbyterians, Independents, &c. would be dissatisfied; that they would demand a general toleration, and thus he would open the door for the Roman Catholics. But soon the Presbyterian ministers were made to suffer. Though men of gravity, and far advanced in years, they were rallied in the pulpits under the opprobrious names of *schismatics* and *fanatics*; exposed to insults; assaulted by mobs, and forced to go in disguise. The old penal laws for non-conformity were executed with severity.

The hardships and poverty attending non-conformity, tempted some few to conform contrary to their judgment; but the great body of dissenters stood firm to their principles.

The sufferings of the non-conformists were great. Many were sent to prison and to death. In the history of the Puritans, it is estimated, that between the restoration and the revolution, seventy thousand families were ruined, and that eight thousand persons suffered death upon the scaffold and in prison. This happened in the short reign of Charles II. It is also stated, that "besides those who suffered in their own country, great numbers retired to the plantations of New England, Pennsylvania, and other parts of America."

Such treatment of the dissenters, and from those whom they had helped into power, was unaccountable. In reference to it, the Earl of Castlemain, a Roman Catholic, said: "'Twas never known that Rome persecuted, as the bishops do, those who adhere to the same faith with themselves, and established an inquisition against the professors of the strictest piety among themselves."

But when, in the reign of James II., the successor of Charles II., the king endeavored to establish the Roman

Catholic religion, and thus involved himself in a war with the established church, the dissenters were true to their principles. The king offered them all manner of encouragement, if they would aid him. The clergy of the establishment, also, entreated them for assistance against the king and the Catholic religion. The dissenters, in deciding, shewed a magnanimous spirit. Though they had, till that time, been inhumanly persecuted by the bishops, yet they knew, that they and the churchmen agreed substantially in matters of faith, and they were unwilling that the great cause of the reformation should perish for lack of their aid. They, therefore, cordially joined the church party, in consequence of which the wonderful revolution was effected, at little cost of treasure or blood. King James abdicated the throne upon which William and Mary were placed in 1689.

Though the bishop had made the fairest and most solemn promises to the dissenters, for their assistance, yet these promises were soon forgotten. On this subject Neal says: "Such was the ungrateful return that these stubborn churchmen made to those who had assisted them in their distress! For it ought to stand upon record, that the *Church of England* had been twice rescued from the most imminent danger, by men for whose satisfaction they would not move a pin, nor abate a ceremony: first in the year 1660, when the *Presbyterians* restored the King and Constitution, without making any terms for themselves; and now again at the *revolution*, when the church fled for succor to a *Presbyterian Prince*, and was delivered by an army of fourteen thousand *Hollanders*, of the same principles with the English Dissenters."

This highly honorable conduct of the dissenters, was not forgotten by the lords in Parliament in 1702, when Queen Anne came to the throne. In a conference with the house of Commons, on the *Occasional Bill*, they say: "That in the last and greatest danger the church was exposed to, the dissenters joined with her, with all imaginable zeal and sincerity, against the *Papists*, their common enemies, showing no prejudice to the church."

During the reign of King William, the *high church* party were displeased that toleration was granted to the dissenters. Thus says Neal: "*The Tories and high*

church clergy enjoyed the advantages of this *glorious revolution*, while they acted a most ungrateful part towards their *deliverer*, and a most unkind and ungenerous one to their dissenting brethren."

While William lived, he defended the dissenters; but when Anne came to the throne, the high church party immediately brought in the *Occasional Bill* to cramp the toleration of the dissenters, which did not obtain the royal assent till the year 1711.

But when George I. came to the throne in 1714, he was satisfied, that the oppressions, of which the dissenters complained, were brought upon them for "their steady adherence to the *Protestant succession* in his illustrious house." And in five years, he procured the repeal of the acts against toleration, since which time, no important change has taken place in the statutes of England, on the subject of religion. The Episcopal church is the established religion, but others are tolerated.

In Scotland, since the days of Knox, Presbyterianism has generally stood on a firm basis. It has been, and is now the established religion. The Scotch have always shown an unwavering attachment to their discipline, and a desire to have their system prevail. And had they been less eager on this point, and more tolerant towards others, their influence would have been more extensively felt. They erred in imposing Presbyterianism upon the English. And when they had procured their establishment in England, they opposed the toleration of others. The parliament was willing to grant toleration to the Independents. But the rigid Presbyterians opposed and prevented it. Thus they alienated this body, and eventually defeated their own cause; so that the Presbyterians in England, soon became comparatively a small body. And, as to the Scotch, we would look with admiration upon their church, were it not for their attachment to the *Solemn League and Covenant*, and the *divine right* of Presbytery, and their alliance with the civil power.

The Presbyterians or Huguenots of France, never had the aid of civil power, but were often sorely persecuted. They generally enjoyed some toleration, till the horrible St. Bartholomew massacre, in 1572, which resulted in the destruction of at least thirty thousand Protestants. In

1598, in the reign of Henry IV. their civil rights were secured by the edict of Nantes. During the reign of Louis XIV. they were again greatly persecuted; and by the revocation of the edict of Nantes, in 1685, many thousands were forced to make their escape to other parts of Europe, and to America. Since which time, the Huguenots in France have lived the subjects of alarm and persecution, never enjoying a full and free toleration, except during the great revolution under Napoleon.

When we look back, two or three centuries ago, to the history of the church, *in any of its parts*, we see that the principles of a general toleration and equal rights were not understood. Nor are these principles, at the present day, embraced and cherished, except in the United States. And when we wonder at the persecutions of former times, we should recollect that they were times of violence and intolerance. Rudeness often characterized the *persecuted* as well as the *persecutor*. Take one specimen two hundred years ago. Mr. Prynne wrote a book, in which he uses such language as this, in speaking of the ladies at court, and of the nobility: "Our English ladies, shorn and frizzled madams, have lost their modesty; that the devil is only honored by dancing" &c. For this book he was prosecuted. The Earl of Dorset, in a speech against him, says: "I will never set him at liberty, no more than a plagued man, or a mad dog. He is fit to live in dens with such beasts of prey as wolves and tigers, like himself; therefore I condemn him to perpetual imprisonment; and for corporeal punishment, I would have him branded in the forehead, slit in the nose, and have his ears chopt off." And this was only a part of the penalty inflicted. His imprisonment, however, was not perpetual. Surely these were times of violence, when a savage barbarism was vastly more popular than in our day. And, it being an age of intolerance, conscientious men, no doubt, thought they were doing God service, by persecuting those who differed from them.

But in the United States, all sects now profess to have abandoned their persecuting principles. When they satisfy the public mind that this is so, the past ought to be forgotten and forgiven. In other parts of the world, there are yet church establishments. And wherever, at this

day, a church sits securely in the lap of civil power, there are still to be found the principles of intolerance. And wherever a church claims to be independent of, or superior to the civil power, there persecution is to be found.

But the Episcopalians, in the United States, have no ecclesiastical connection with the Episcopal establishment of England, and they profess to be the friends of equal rights. The Presbyterians, in the United States, have no ecclesiastical connection with the Presbyterian establishment of Scotland, and they profess to have abandoned those arbitrary and intolerant principles, to which the Scotch have generally adhered. Such professions are right, and worthy of confidence, whilst strengthened by a corresponding practice.

However, where there is no church establishment, there is one feature in some sects, that is calculated to sow deeply and widely the seeds of intolerance, viz.:—the *divine right*—a conceit that, notwithstanding according to the *civil law* they are on an equality with other sects, yet, according to *divine law*, they are THE CHURCH; others are out of the church, heretics and schismatics, because they are not of their party. Of one thing, however, we may feel confident, that wherever a sect has no connection with civil power, and abandons her *divine right* notions, such a sect is not to be feared.

From these brief sketches of Presbyterianism, the reader will perceive, that Presbyterians do not claim to have been an *infallible* church. It ought, however, to be remembered, that Presbyterianism in the *New World*, is not what it is in the *Old World*.

It is our purpose to show, in these sketches, that the unlovely features of Scotch Presbyterianism—*Church and State*; *Solemn League and Covenant*; *Divine Right*, &c.—have never pertained to American Presbyterianism. Where those brethren will land, who have commenced a sort of *retrograde reformation*, is for future development. They have nothing to say in favor of the tolerant and liberal principles upon which American Presbyterianism was founded, but seem to have a strange “affinity” for the *Scotch* system, as the only perfect model of Presbyterianism. But of this hereafter.

CHAPTER II.

UNION OF PRESBYTERIANS AND CONGREGATIONALISTS—PRIMITIVE AND LIBERAL POLICY OF AMERICAN PRESBYTERIANISM.

In the history of the Presbyterian church, it is necessary to notice its connection with the Independents or Congregationalists. The two bodies, in England and America, have generally adopted the same Confession of Faith; and when their jealousies, alienations and strifes about other matters were healed, they have been ready to adopt plans of correspondence and union.

The first effort at union in England, worthy of notice, was about the year 1653. At first the "articles of concord" were drawn up so as to embrace Episcopalians. But the associations were attended mostly by the Congregationalists and Presbyterians. We find the following statement in Neal's history: "The chief of the Presbyterian and Independent divines, who were weary of divisions, and willing to strengthen each others hands, united in these assemblies, though the exasperated prelatists, the more rigid Presbyterians and severer sort of Independents, kept at a distance. But many remarkable advantages attended these associations; they opened and preserved a friendly correspondence among the ministers," &c.

But towards the close of the seventeenth century, the two bodies effected a firmer union. Hence we learn, that "on the 6th day of April, 1691, the Presbyterian and Congregational denominations of christians, in Great Britain, met at Stepney, and there, by the blessing of Almighty God, after talking over their differences and agreements, consummated a union of the two denominations, by adopting what was called *the heads of agreement*, embracing

a few cardinal principles, which were to govern them in their fraternal intercourse."

Presbyterians and Congregationalists, with this spirit, flying from intolerance and persecution in the Old World, would find little difficulty in uniting, when sharing in the toils and privations of a settlement in the wilds of America. The Presbyterians, who settled in the New England States, generally united with the Congregationalists; and the Congregationalists, who settled in the middle and Southern States, united with the Presbyterians.

In the early settlement of this country, the Scotch Presbyterians came into these arrangements somewhat reluctantly. They had not favored the plans of union between the two denominations in the Old World. Many of them were devotedly attached to the measures of the Church of Scotland, a church that was long disposed to adhere to her arbitrary principles, as will appear from the fact, that as late as 1712, during the reign of Queen Anne, they published an act or testimony against religious toleration.

It was not to be expected that Scotch Presbyterians, English Presbyterians, Huguenots, Independents, &c. coming from so many different countries--England, Scotland, Wales, Ireland, France, Germany, &c.—could unite in any rigid system. The result was a modified Congregationalism in New England, and a modified system of Presbyterianism south and west of New England.

As the result of the plan of union of 1691, between the Presbyterians and Congregationalists of England, Mr. McKemie, a native of Ireland, was sent as a missionary to America. He with others in 1704 or 1705, formed the first Presbytery in America--the Presbytery of Philadelphia. This Presbytery was composed partly of Presbyterians and partly of Congregationalists. Mr. Andrews, the first pastor of the first church in Philadelphia, was a Congregational Presbyterian. And that church was sixty-four years without any ruling elders, though under the care of the Presbytery.

Thus it appears, that Presbyterianism was introduced into this country from England, and not from Scotland, and upon the foundation of an enlightened and liberal toleration.

The Presbytery of Philadelphia was formed upon the

liberal principles which controlled the united body in England. The small number of churches, the sparseness of population, and difficulty of supporting the gospel, would contribute to such a result. When the first Presbytery was formed, it was composed of seven ministers. One of these was Mr. Andrews, a graduate of Cambridge, and a native of New England. Of the seven, it is not clear that more than three of them were Presbyterians originally. It is however certain that Congregational materials were the most numerous. In 1701, Massachusetts had eighty-six ministers; and in 1713, Connecticut had "forty-six churches which had been illuminated by about ninety ministers." At that time, therefore, in the history of the American church, the Congregationalists composed a much larger body than the Presbyterians.

And from the fact of their emigration South and West, they would exercise no small influence in the Presbyterian church. As early as 1640, the New Haven colony "made a large purchase on both sides of the Delaware Bay and River." "This purchase was made with a view to trade, and for the settlement of churches in gospel order and purity." The settlements were made under the jurisdiction of New Haven, and "in close combination with that colony in all their fundamental articles."

The intercourse between the two denominations was fraternal and liberal. The assistance which they afforded each other, was often substantial. When the Presbytery of Philadelphia, in 1709, applied to Sir Edmund Harrison, one of the dissenters in London, for aid, they requested the Rev. Ministers of Boston, to join with them in "imploring help and assistance for promoting the interests of our glorious Lord." And the Congregationalists wrote in their behalf.

In 1716, the first Synod was formed—the Synod of Philadelphia—upon the same liberal principles of a modified Presbyterianism. Fourteen years after this, Mr. Andrews, in a letter to Rev. Mr. Prince, of Boston, says: "We all call ourselves Presbyterians; none pretending to be called Congregationalists"—"And the ministers are all Presbyterian, though mostly from New England." (See Hill's History, p. 105.)

Those who had been reared in the church of Scotland,

were not generally pleased with those liberal principles which resulted in the union of Presbyterians and Congregationalists, and the founding of the American church upon the basis of a modified Presbyterianism. Soon after the formation of the Synod, murmurs of dissatisfaction, from the more rigid Scotch, were heard. The ministers from Scotland, who, to use the words of Dr. Miller, "were desirous to carry into effect the system to which they had been accustomed in all its extent and strictness," began to insist, that the church in this country should adopt the exclusive policy of the church of Scotland. In that country they adopted the whole of the Old Westminster Confession, which made it the duty of the *civil magistrate* "to take order, that unity and peace be preserved in the church, that the truth of God be kept pure and entire, that all blasphemies and heresies be suppressed, all corruptions and abuses in worship and discipline prevented or reformed, and all the ordinances of God duly settled, administered and observed." And according to the Scotch mode of adopting the Confession of Faith, a minister belonging to the established church of Scotland, could regard no man as a minister, who had not received license from one of their Presbyteries, and subscribed a formula, which would bind him to adhere to the established church, with its Confession, its entire system of Government, and its Solemn League and Covenant, which Covenant would bind him to endeavor "the extirpation of popery, prelacy, superstition, heresy, schism," &c. These were the principles of the rigid Scotch "in all its extent and strictness." And it is not surprising, that such an adoption should meet with opposition in founding the American Presbyterian Church.

CHAPTER III.

CONTROVERSY AND SCHISM OF 1711.

As soon as the Presbyterian church began to prosper and extend its influence, men's views began to conflict. The two extreme parties in this controversy, were the favorers of the Scottish system and those who had imbibed the more liberal principles of the Congregationalists. The strength of the parties, the reasons of their union, their differences and agreements are briefly set forth by Dr. Green, in his *Advocate* of August 1834. He says: "Indeed there were circumstances in the early history of our church, which so powerfully urged the Presbyterians and Congregationalists to a union, that we do not wonder it was sought, nor think that we ought to attach blame to those who endeavored to effect it. The Presbyterians, at first, were but a handful, and naturally wished to increase their strength by any feasible alliance. The Congregationalists, although more numerous, having previously established themselves in the eastern part of the British provinces, and although not favorable to the settlement of Presbyterians among themselves, yet were willing to form a coalition which would manifestly extend their influence. The mother country was also, at the time, hostile to both these sects. She had, by persecution at home, driven both into exile, and even in exile, was far from regarding them with a propitious eye. To strengthen each other against a common, adverse and powerful influence, was certainly an operative motive to conjoint action, and to the amalgamation in which it resulted. Such a result, moreover, seemed to be recommended by an entire agreement of the parties in their doctrinal theology. Both Presbyterians and Congregationalists were, at this time, strict Calvinists. They were both, and we believe equally

attached to the doctrinal creed of the Westminster Divines, especially to the summary of it which is contained in the Shorter Catechism. It was in regard to *church government*, or the system of ecclesiastical order and discipline, that the parties differed. The attempts to compromise this difference, produced the difficulties and dissensions in the early periods of our church."

These are very correct and valuable items of history, especially as coming from Dr. Green, a thorough Old School man; and going to shew the strength of parties, the mild and moderate character of primitive, American Presbyterianism, &c.

Dr. Miller says, that in the organization of the Presbyterian church in this country, they "had not formally and publicly adopted any particular confession of faith, or ecclesiastical constitution. They acted under a plan rather understood than officially ratified." This alarmed the more rigid of the Scotch Presbyterians. Dr. Green says: "In the year 1721, we have the first indication of the general controversy." In 1724 several ministers from Scotland began to insist upon a subscription to the old Westminster Confession of Faith, which, as it then was, would give to the civil magistrate the power of persecuting God's people, and bind the ministers to the extirpation of heresy and schism. The descendants of the Puritans regarded this as an attempt to introduce the entire system of Scotch Presbyterianism, under which toleration had been denied their forefathers.

These contentions led to the Adopting Act of the Synod of Philadelphia in 1729. The act embodied the liberal principles upon which Presbyterians and Congregationalists had united. It is as follows:

"The committee brought in an overture upon the affair of the Confession, which, after long debating upon it, was agreed to *in haec verba*. Although the synod do not claim or pretend to any authority of imposing our faith upon other men's consciences, but do profess our just dissatisfaction with, and abhorrence of such impositions, and do not only disclaim all legislative power and authority in the church, being willing to receive one another, as Christ hath received us, to the glory of God, and admit to fellowship in such ordinances, all such as we have grounds to

believe Christ will at last admit to the kingdom of heaven ; yet we are undoubtedly obliged to take care that the faith once delivered to the saints, be kept pure and uncorrupt among us, and so handed down to our posterity ; and do therefore agree, that all the ministers of this synod, or that shall hereafter be admitted into this synod, shall declare their agreement in, and approbation of the Confession of Faith, with the Larger and Shorter Catechisms of the Assembly of divines at Westminster, as being *in all essential and necessary articles*, good forms and sound words, and systems of Christian doctrine, and do also adopt the said Confession of Faith and Catechism as the confession of our faith. And we do also agree, that the Presbyteries within our bounds shall always take care not to admit any candidate of the ministry, into the exercise of the sacred function, but what declares his agreement in opinion *with all the essential and necessary articles* of said Confession either by subscribing the said Confession of Faith and Catechisms, or by a verbal declaration of their assent thereto, as such ministers or candidates shall think best. And in case any minister of this synod, or any candidate for the ministry, shall have any scruple with respect to any article or articles of said Confession of Faith or Catechisms, he shall, at the time of his making such declaration, declare his sentiments to the Presbytery or Synod, who shall, notwithstanding, admit him to the exercise of the ministry within our bounds, and to ministerial communion, if either Synod or Presbytery shall judge his scruple or mistake to be only about articles not essential and necessary in doctrine, worship, or government. But if the Synod or Presbytery shall judge such ministers or candidates erroneous in essential and necessary articles of faith, the Synod or Presbytery shall declare them incapable of communion with them. And the Synod do solemnly agree, that none of us will traduce, or use any opprobrious terms of those that differ from us in those extra-essential, and not necessary points of doctrine, but treat them with the same friendship, kindness and brotherly love, as if they had not differed from us in such sentiments."

It is not inferred from this act, that the Synod was too latitudinarian, or that it was their purpose to tolerate every

species of error, as some would conjecture, "from high Arianism to low Arminianism." They were orthodox men. To guard against misapprehension, on the afternoon of the same day, they say by way of explanation, "All the ministers of the Synod, except one that declared himself not prepared," "after proposing all the scruples any of them had to make against any of the articles and expressions in the Confession of Faith, and Larger and Shorter Catechisms, of the Assembly of Divines of Westminster; and we unanimously agreed in the solution of those scruples, in declaring the said Confession and Catechism to be the Confession of their faith, except only some clauses in the 20th, and 23rd chapters, concerning which clauses, the Synod do unanimously declare, that they do not receive those articles in any such sense as to suppose the civil magistrate hath a controlling power over Synods, with respect to their exercise of their ministerial authority; or power to persecute any for their religion, or in any case contrary to the Protestant succession to the throne of Great Britain."

But the adopting act did not satisfy the friends of a rigid subscription. By this act, Dr. Green says, that the mother Synod "Congregationalized the church," and that "they left nothing of Presbyterianism behind but the name; so that it become nothing but a Presbyterio Congregational church." Some of these strict Presbyterians immediately left their former connection and joined the secession church, in consequence of this act.

Efforts were made to stay this dissatisfaction and secession. New Castle Presbytery, the next year, in September 1730, adopted the following minute: "Whereas, divers persons belonging to several of our congregations have been stumbled and offended, at a certain minute of the proceedings of the last Synod, contained in a printed letter, because of some ambiguous words or expressions, contained therein; being willing to remove, as far as in us lies, all causes and occasions of jealousies and offences in relation to that affair, and openly before God and the world, to testify, that we all with one accord, firmly adhere to that same sound doctrine, which we and our forefathers were trained up in."

Two years after this, Donnegal Presbytery adopted a similar minute.

These movements were calculated to alarm the Synod. In consequence of the adopting act, they saw some of their members going off to the seceders, and no less than two of their Presbyteries passing resolutions to counteract their liberal policy. The result was, that the dissatisfied party raised such a clamor against the adopting act, that at last the old Synod quailed before it. And in 1736 the Synod "do declare, that inasmuch as we understand that many persons of our persuasions, both more lately and formerly, have been offended with some expressions, or distinctions, in the first preliminary act of the Synod, contained in the paper relating to our receiving or adopting the Westminster Confession and Catechisms, &c.; that in order to remove said offence, and all jealousies that have arisen, or may arise in any of our people's minds on account of said distinctions and expressions, the Synod doth declare, that the Synod have adopted, and do still adhere to the Westminster Confession, Catechisms, and Directory without the least variation or alteration, and without any regard to said distinctions."

This act was as little relished by the liberal party, as the adopting act was by the rigid party. And it rapidly paved the way for the schism which occurred in 1741.

Other causes conspired to hasten the schism of the church. The two parties differed on the subject of revivals. The great revival of 1735, which commenced under President Edwards, and under Mr. Whitfield and others in 1740, gave rise to some departures from truth and sobriety. The "Old Side" were the opposers of the revival; and the "New Side" its ardent friends. The opposers wrote and circulated pamphlets to suppress the revival.

There was also some difference between the parties about vital godliness, and qualifications for the ministry. The New Side men charged the Old Side with caring too much about literary qualifications, and not enough about experimental religion. Dr. Miller says, "The cordial and active friends of this revival, generally coincided with that portion of the Presbyterian church, which was most friendly to ardent piety, and least zealous for Presbyterial order,

confessions of faith and literary qualifications in the ministry."

All these, and perhaps other conflicting views alienated the feelings of brethren from each other. Dr. Miller says: "Old Side men regarded their opponents as a body of extravagant and ignorant enthusiasts; while the New Side men regarded the Old Side men as a set of pharisaical formalists."

These dissensions about qualifications for the ministry, revivals of religion, vital godliness, and the manner of subscribing the old Confession of Faith, resulted in the great schism of 1741.

Dr. Miller, an Old School man, in speaking of that schism, censures both sides; the New Side too severely. He says: "The *Old Side* was wrong in opposing the revival of religion under the ministry of Whitfield and his friends; and *in contending as they did at first, against examination on vital piety*: while the *New Side* were as plainly wrong in frequently violating that ecclesiastical order which they had stipulated to observe; in undervaluing literary qualifications for the holy ministry; and in giving countenance, for a time, to some real extravagancies and disorders which attended the revival of religion." That the New Side did not undervalue literature, is evident from the fact, that they immediately built up New Jersey' College. And in regard to revivals, allowance can be made for the censure, when it is recollected that the "*anxious seat*" and all such measures are ranked by Dr. Miller among "*extravagancies and disorders*."

At the time of the schism, there was but one Synod—that of Philadelphia. In 1745, the Synod of New York was organized, embracing the New Side men.

One of the first efforts of the New Side party, was to build up New Jersey College, which was permanently located at Princeton, in 1757. The college had difficulties and opposition to encounter. At first it languished for want of funds. But in 1753, the Synod of New York, at the request of the Trustees of the college, sent Rev. Samuel Davies and Rev. Gilbert Tennent to England to solicit aid. They were successful. The liberal benefactions received, placed the college in a respectable condition. (See Quarterly Register, Vol. 3: No. 4. p. 273.)

From President Davies, while on this tour, we also learn, that among the New Side men, during the schism, a rigid subscription of the Confession of Faith was not demanded. When interrogated, in England, on this subject, Mr. Davies says: "I replied that we allowed the candidate to mention his objections to any article in the Confession, and the judicatures judge whether the articles objected against were essential to Christianity; and if they judged they were not, they would admit the candidate, notwithstanding his objections."

It will be remembered, that this was the principle upon which the American Presbyterian church was founded—this was the spirit of the adopting act of 1729—this the policy of the New Side in that day, and for more than this, no party has since ever contended.

But to return to our history. Seven years after the division, efforts were made to unite the two Synods. But these efforts did not succeed till 1758—the parties having been separate for seventeen years.

Then the Synods united, under the name of the Synod of New York and Philadelphia. They agreed to adopt the Confession of Faith, as it had been adopted in 1729, disclaiming all "*legislative power*," "as being, *in all essential and necessary articles*, good forms and sound words." This was, therefore, a union upon what is generally called the liberal principles of American Presbyterianism.

In 1766, eight years after the union of the Synods, the Presbyterian Church proposed a convention of delegates of the pastors of the Presbyterian and Congregational churches in America, which met annually, until it was interrupted by the American Revolution.

In 1788, the General Assembly was organized. Some alterations were then made in the old Westminster Confession, making it more suitable to the views of the entire church. Two years after this, the Assembly "being peculiarly desirous to renew and strengthen every bond of union between brethren so nearly agreed in doctrine and forms of worship, as the Presbyterian and Congregational churches evidently are, do resolve, that the Congregational churches in New England be invited to renew their annual convention with the clergy of the Presbyterian

church." This led to the plans of correspondence with the Congregational churches of New England, which are yet in existence, and which provide, that "every preacher traveling from one body to the other, and properly recommended, shall be received as an authorized preacher of the gospel, and cheerfully taken under the patronage of the Presbytery or Association, within whose bounds he shall find employment as a preacher."

In 1799, the Legislature of Pennsylvania passed an act incorporating "The Trustees of the General Assembly of the Presbyterian Church in the United States of America."

CHAPTER IV.

THE POLICY OF THE PRESBYTERIAN CHURCH IN THE STRUGGLE FOR NATIONAL INDEPENDENCE.

Though in *ecclesiastical* matters, there had been a rigid and a liberal party in the Presbyterian church in the United States, yet in *civil* matters, the whole church acted the part of the most ardent friends of liberty, in the most perilous times of our history. The Episcopal church was the established church in the mother country. So it was in the colonies previously to the revolution. In some of the colonies there were chartered privileges which caused the dissenters not to feel the burdens of the establishment. Yet the Episcopal was the government church, and, in the Middle and Southern colonies, claimed most of the rights and immunities of the church in the mother country.

From an early period in the settlement of some of the colonies, as in Virginia, very severe laws were enacted against dissenters—Presbyterians, Baptists, &c. This would very naturally cause them to dislike the establishment, and to wish to see the Episcopal hierarchy in this country overthrown. The rights of conscience as well as civil liberty, enlisted the energies of the Presbyterian church in the contest for our national independence.

During the revolutionary war, the Synod of New York and Philadelphia was the highest judicatory of the Presbyterian church in the United States. More than a year before the declaration of Independence, in May, 1775, while the 2d Congress was in session in Philadelphia, the Synod threw the weight of their official influence in favor of Congress and liberty. They addressed a pastoral letter to their people, and ordered it to be read in all the churches, on the day of the general fast in June, 1775. In this letter they say: "Be careful to maintain the union which at present subsists through all the colonies. Nothing can be more manifest than that the success of every measure depends on its being inviolably preserved, and therefore we hope that you will leave nothing undone which can promote that end. In particular as the Continental Congress, now sitting in Philadelphia, consists of delegates chosen in the most free and unbiassed manner by the body of the people, let them not only be treated with respect, and encouraged in their difficult service; not only let your prayers be offered up to God for his direction in their proceedings, but adhere firmly to their resolutions; and let it be seen that they are able to bring out the whole strength of this vast country to carry them into execution. We would also advise for the same purpose, that a spirit of candor, charity, and mutual esteem be preserved, and promoted towards those of different religious denominations."

This is the letter to which Ramsey refers, in the 2d volume of his history. The chairman of the committee that prepared the letter, was the Rev. Dr. Witherspoon, one of the signers of the Declaration of Independence. The Rev. Dr. Rogers, afterwards the first moderator of the General Assembly, was one of the committee. And so

was the Rev. Mr. Caldwell, who was afterwards shot by the British.

The most prominent individuals in the Presbyterian church were the ardent friends of liberty. Dr. Witherspoon's course is well known.

Dr. Rogers was among the most influential in the church. Gen. Washington conferred and corresponded with him about public matters, and received from him valuable information.

The Rev. David Rice, well known in Kentucky, was a member of a committee of public safety for Bedford county, Virginia, during most of the war. His brothers were soldiers in the army. In his sermons, he exhorted his people to constancy and firmness in the contest, in such language as this: "We should resist oppression by every means in our power to the last extremity; cheerfully undergoing the various fatigues and dangers of military life. This is wise, because oppression is worse than death. Let us duly consider the evils of oppression, and particularly that oppression which is prepared for us, and resolve to suffer any losses, undergo any hardships, and expose ourselves to death with all its natural terrors, rather than submit to it. Let us not indulge a mean, selfish disposition, but consider our wives and children, and even generations yet unborn, and remember that their happiness depends on our conduct."

Dr. John B. Smith was President of Hamden Sydney College, Virginia, and one of the most popular ministers in the Presbyterian church. He took a bold stand for his country. At one time, when there was a sudden call for troops, he headed a company of students to bring aid to his countrymen in arms.

Dr. James Hall was a popular minister in North Carolina, and afterwards moderator of the General Assembly. At a time of great emergency in the South, he, at the close of his sermon on the Sabbath, told his people, that all men had various duties to perform--and that he thought it his duty in the present crisis to shoulder his firelock and fight for his country; and that they need not for a time expect his services as a pastor. He formed a company chiefly of his own parishioners, and as their leader, served a campaign.

Many other examples of similar character might be given—but these are enough.

After the independence of the colonies had been secured, the question involving religious liberty had to be settled. In the organization of State governments the question came up: Shall there be an established religion? Or, shall provision be made for some of the more prominent sects? Or, shall all connexion between church and state be dissolved, and equal liberty granted to all? The Presbyterians advocated equal liberty for all.

In Virginia the struggle was most arduous. An attempt was made to retain the old establishment. This was opposed by the Presbyterians, and could not succeed. Then an effort was made to pass “a comprehensive incorporating act,” by which Presbyterians might participate in the establishment. This was opposed by the Presbyterians. It was not, however, till the year 1786, that the law securing full and equal liberty was passed in Virginia. Previously to this time the Presbyterians had sent five memorials to the Legislature, all in favor of full religious liberty; one of which was signed by ten thousand names. The last memorial was drawn up by a convention of Presbyterian ministers and members in 1785, and was to be presented to the Legislature at its next session. It was accordingly presented by Dr. John B. Smith, who was heard at the bar of the house three days successively in its support. The objects for which these efforts were made were gained—a bill was passed granting to all full religious liberty—placing all ministers and sects upon an equal footing, and leaving it to the people of different denominations to support their own ministers by their own voluntary contributions. (See the *Presbyterian Advocate*, published in Lexington, in 1830.)

NOTE TO THE READER. It was necessary, in getting at the spirit of the Presbyterian Controversy, to glance at the earlier periods of our Church. In doing this, we see the difference between Scotch Presbyterianism and primitive American Presbyterianism. This will also enable us, in the prosecution of our design, to see the strong resemblance which *modern Old Schoolism* has of the Scottish system.

It has been charged upon the liberal party in the Presbyterian church, that they favor plans of union with the Congregationalists. We show

from the history of our church, that if they err in this, the *founders of our church* erred still more; for, according to Dr. Green, "they Congregationalized the church."

It has been charged upon the liberal party, that they have become too lax in theology, because they are willing to tolerate some shades of difference. But if this be error, how great was the error of the *founders of our church*, who, according to Dr. Miller, "had not formally and publicly adopted any particular confession of faith or ecclesiastical constitution." If this be error, how great was the error of the *mother Synod* in the adopting act of 1729, when our ministers were required to subscribe the Confession of Faith, "*as being, in all essential and necessary articles, good forms and sound words.*" If this be error, how great was the error of Rev. Samuel Davies, when he asserted, that in his day, the principles of the adopting act were carried out!

The schism of 1741 is a part of the history of our church, which is now looked into with deep interest, as exhibiting the same spirit, which has again resulted in the disruption of the church.

The history of those early periods will shew which party has adhered to our primitive liberal policy, and which has been the advocate of measures, which neither we nor our fathers could bear.

It has been charged upon the liberal party, that they are no Presbyterians, because they are in favor of *voluntary* associations—the American Board, &c. But in the days of McKennie, or of Davies, who ever was told that he was no Presbyterian, because he would not favor the narrow policy of *ecclesiastical* Boards? In that day these *new measures, new basis, and new tests* were not known.

In the struggle for independence—for civil and religious liberty—it will be seen, that American Presbyterianism was not *Scotch Presbyterianism*; and while the Presbyterian church of Scotland was sitting securely in the lap of civil power, the American Presbyterian church was laboring for full religious liberty for all.

CHAPTER V.

PLAN OF UNION OF 1801.

After the schism of 1741 had been healed, and the war with the mother country ended, nothing of importance transpired, during the remainder of that century, to mar the friendly intercourse between Presbyterians and Congregationalists. Plans of union and correspondence between the two bodies were extensively cherished by both denominations. But the plan of Union of 1801 has been the occasion of more unpleasant feeling than all the others. It ought therefore to be particularly noticed. It was a Plan of Union between Presbyterians and Congregationalists in the new settlements of New York, Ohio, &c., where there was great difficulty in supporting the preaching of the gospel and other means of grace. It was thought to be agreeable to the powers vested in the General Assembly, by the constitution of the church, to correspond with other churches. The plan was matured by the Assembly, and by them proposed to the Association of Connecticut, and by that body unanimously adopted. The Plan of Union was as follows :

“Regulations adopted by the General Assembly of the Presbyterian church in America, and by the General Association of the State of Connecticut, (provided said Association agree to them,) with a view to prevent alienation and promote union and harmony in those new settlements which are composed of inhabitants from these bodies.

1. It is strictly enjoined on all their missionaries to the new settlements, to endeavor, by all proper means, to promote mutual forbearance and accommodation, between those inhabitants of the new settlements who hold the Pres-

byterian and those who hold the Congregational form of church government.

2. If in the new settlements any church of the Congregational order shall settle a minister of the Presbyterian order, that church may, if they choose, still conduct their discipline according to Congregational principles, settling their difficulties among themselves, or by a council mutually agreed upon for that purpose: but if any difficulty shall exist between the minister and the church or any member of it, it shall be referred to the Presbytery to which the minister shall belong, provided both parties agree to it; if not, to a council consisting of an equal number of Presbyterians and Congregationalists, agreed upon by both parties.

3. If a Presbyterian church shall settle a minister of Congregational principles, that church may still conduct their discipline according to Presbyterian principles; excepting that if a difficulty arise between him and his church, or any member of it, the cause shall be tried by the Association to which the said minister shall belong, provided both parties agree to it; otherwise by a council, one half Congregationalists and the other half Presbyterians, mutually agreed upon by the parties.

4. If any congregation consists partly of those who hold the Congregational form of discipline, and partly of those who hold the Presbyterian form, we recommend to both parties that this be no obstruction to their uniting in one church and settling a minister; and that in this case, the church choose a Standing Committee from the communicants of said church, whose business it shall be to call to account every member of the church who shall conduct himself inconsistently with the laws of christianity, and to give judgment on such conduct: and if the person condemned by their judgment be a Presbyterian, he shall have liberty to appeal to the Presbytery; if a Congregationalist, he shall have liberty to appeal to the body of the male communicants of the church; in the former case, the determination of the Presbytery shall be final, unless the church consent to a further appeal to the Synod, or to the General Assembly; and in the latter case, if the party condemned shall wish for a trial by a mutual council, the cause shall be referred to such council. And pro-

vided that the said Standing Committee of any church shall depute one of themselves to attend the Presbytery, he may have the same right to sit and act in the Presbytery as a ruling elder of the Presbyterian church." (Assembly's Digest, p. 297.)

This plan operated handsomely. And, except among a few friends of the most rigid Presbyterianism, no uneasiness was felt about the operations of the plan for a great number of years. The wisest and best men in the church formed the plan and were pleased with its results. As late as 1833, Dr. Miller said: "I have always been a warm friend to it; and should be grieved at the occurrence of any thing calculated to interrupt it, or render it less comfortable. If no such intercourse existed, it ought forthwith to be begun. Those who come so near together as the great body of ministers of New England and those of the Presbyterian church ought undoubtedly to know and love one another, and to co-operate in the great work of enlightening and converting the world." And again: "The articles of intercourse between the Associations of New England and the General Assembly of the Presbyterian church are to be considered as a solemn ecclesiastical compact, evidently intended to promote harmony, co-operation and mutual strength."

Other plans of union and correspondence have been entered into between the Presbyterian church and other bodies.

In 1803, a Plan of Union and Correspondence was proposed by the General Assembly to the Convention of Vermont. It was ratified by the Convention.

In 1808, a Plan of Union was formed between the Synod of Albany and the Middle Association in the Western District, in the State of New York.

In 1811, a Plan of Union and Correspondence was formed between the General Assembly and the General Association of Massachusetts.

In 1821, a Plan of Union was entered into between the Presbyterian church and the Associate Reformed Synod—a body of christians familiarly known as *Seceders*, extremely rigid on some points. The first article of that plan has been regarded, by many, as more objectionable than any feature in the plan of 1801, with the Association

of Connecticut. It is as follows: "The different Presbyteries of the Associate Reformed church shall either retain their separate organization, or shall be amalgamated with those of the General Assembly, at their own choice. In the former case, they shall have as full powers and privileges as any other Presbytery in the united body, and shall attach themselves to the Synods most convenient."

NOTE TO THE READER. The Plan of Union of 1801 has been made a pretext with the Reform party, for the dismemberment of the church. It will be seen that it was a wise and liberal arrangement. So thought Dr. Miller, one of the most prominent of the Reformers. The reader can compare the Plan of 1801 with the Plan of 1821—the one with Congregationalists and the other with the Seceders—and then determine upon their merits. But he will be surprised to learn, that the Plan with the *Seceders* is regarded by the Reform party as altogether constitutional, while the Plan with the *Congregationalists* is entirely unconstitutional! The fact, that the Seceders side with the Reform party, and the Congregationalists favor the more liberal policy of American Presbyterianism, will throw some light on this subject.

CHAPTER VI.

THE HOPKINSIAN CONTROVERSY.

Though many plans of union and correspondence had been formed between the Presbyterians and Congregationalists, yet jealousies and suspicions were too freely indulged by the more rigid Presbyterians, who became alarmed at what they were pleased to call *New England Divinity*. In 1792, Dr. Hopkins, of New England, published his system of Divinity. In his work he contended for a religion above all selfishness. He taught a *general atonement, the offer of salvation to all, moral depravity or inability of will, or that the great difficulty in the way of the sinner's salvation lies wholly in his will*. This work was circulated extensively, and was the occasion of arraying the old parties—the *Scotch* and the *American*, or the “Old Side” and the “New Side.” The Old Side men condemned Hopkinsianism as heresy. In 1812, a work of some 500 pages, called the *Contrast*, was published, to crush the errors of the Hopkinsians, and to show that the Hopkinsians differed from Calvin!

In 1816, a work, called the *Triangle*, made its appearance in defence of the Hopkinsians and New England theology. The author of this work says there were three great points of difference in theology between the two parties—that the “Old Side” men held the affirmative, and the Hopkinsians the negative of these propositions, namely,

“1. That the whole human race are guilty of the sin of Adam, independently of their own conduct, and for that sin are truly deserving of eternal punishment; and that every man ought to feel himself deserving of eternal damnation for the first sin of Adam,

2. That all men labor under a true and physical incapacity to do any thing which God requires.

3. That Christ died for an elect number, and not for the sins of the whole world."

The excitement ran high. The author of the *Triangle*, speaking of the rigid party in the church, says: "Their plan and their hope is, by manœuvering, by art and intrigue, to undermine the reputation of the men who hold to the sentiments which prevail in New England." On the other hand, the rigid party denounced the writings of the New England men as "consisting of nothing but verbiage, tautology, absurdity, nonsense, Armenianism Socinianism, Atheism," &c.

In 1816, the Synod of Philadelphia came out in opposition to Hopkinsianism. In their pastoral letter they say: "The Synod assembled in Lancaster at the present time consists of a greater number of members than have been convened at any meeting for many years; and from the free conversation on the state of religion, it appears, that all the Presbyteries are more than commonly alive to the importance of contending earnestly for the faith once delivered to the saints, and of resisting the introduction of Arian, Socinian, Armenian and *Hopkinsian heresies*: which are some of the means by which the enemy of souls would, if possible, deceive the very elect." And again: "May the time never come when our ecclesiastical courts shall determine, that Hopkinsianism and the doctrines of our Confession of Faith are the same thing; or that men are less exposed now than in the days of the apostles to the danger of perverting the right ways of the Lord."

The author of the *Triangle*, in 1816, predicted the probable results of this rigid, uncompromising opposition to Hopkinsianism. He says: "Among the unhappy effects likely to result from the measures recently taken, we may well consider the gloomy prospects which threaten to overspread the whole body of professed Christians in the United States. How terrible and shocking the thought, that Christian brethren, friends and neighbors, united for many years in the strictest bonds of amity, *must be severed* under the charge of heresy! Many churches must be torn and agitated with fierce disputes, and probably rent asunder; churches be cast out of Presbyteries,

and perhaps Presbyteries out of Synods. And what appearance would the Presbyterian church make, torn with divisions, distracted by disputes, rent with schisms, palsied by animosities, and branded with the name of a persecutor?"

Here it will be seen what commotions the rigid party were making twenty-five years ago, under the pretext of fighting *Hopkinsianism*--a system that has stood, and will stand the test.

It also appears from the controversial writings of that day, that the parties differed as to the propriety of demanding a rigid subscription to the Confession of Faith. The author of the Triangle says: "In subscribing the Confession of Faith, my views were, I trust, not dissimilar to the views of those who compiled it. I viewed it as a noble system of doctrine, but as the work of fallible men, and of course, by no means perfect or infallible, or to be regarded as divine law. I had never any idea of substituting it for the word of God, or laying it beside the sacred oracles as of paramount authority, at which all inquiry was to stop, and disputation cease. It was never in the dreams of its authors to set it up as the sovereign arbiter of conscience; or that any deviation from any points therein contained were to be stigmatized as a deviation from the eternal standard of truth, or subject those who deviated to censure and excommunication."

It is not certain how extensively the ministers and members of the Presbyterian church coincide in views with Dr. Hopkins. But it is certain, that but very few ecclesiastical bodies in the connexion could be brought to denounce the Hopkinsians. A Synod or two and perhaps a few Presbyteries armed themselves with ecclesiastical censures, talked and resolved and hurled their spiritual thunders at the errors of the Hopkinsians, and at all who would not receive the *Old Side* exposition of the Confession of Faith. But soon the storm blew over, and there was a calm; and now some who were, and are still Hopkinsians, stand as fair even with the Scotch party, as if this controversy had never been waged.

CHAPTER VII.

THE HOME MISSIONARY CONTROVERSY—OLD SCHOOL
CIRCULAR—NEW SCHOOL* DISAVOWAL—DRS. GREEN
AND BEMAN—CINCINNATI CONVENTION.

Before the close of the last century, the General Assembly appointed a Standing Committee on Missions. Yet but little could be done to supply the increasing desolations of the land with the preaching of the gospel. The success of the American Board of Commissioners for Foreign Missions, a voluntary society, patronized by Presbyterian, Dutch Reformed and Congregational churches, induced those churches to try a similar plan for Domestic Missions. The wisest and best men in the Presbyterian church cordially recommended such a plan. Drs. Alexander and Miller wrote to Dr. Peters, the First Secretary, as follows :

*“Rev. and Dear Sir:—*We rejoice to hear that there is a plan in contemplation for forming a Domestic Missionary Society, on a much larger scale than has heretofore existed. We have long been of the opinion, that the subject of Domestic Missions is one which ought to interest the hearts, and to rouse the exertions and prayers of American Christians to an extent which very few appear to appreciate. Our impression is, that unless far more vigorous measures than we have hitherto witnessed shall be soon adopted for sending the blessed gospel and its ordinances to the widely extended and rapidly increasing New Settlements of our country, their active and enter-

* The reader will see that I often use the names “Old School” and “New School,” just as our New Basis brethren would do. I do it not because I consider them appropriate, but for the sake of distinction, as I wish to be understood by the mass of both parties.

prising population must, at no great distance of time, be abandoned to a state not much short of entire destitution of the means of grace. We would fain hope, that no christian, who loves the Redeemer's kingdom, and reflects on the value of immortal souls; no parent, who remembers that his own children, or children's children, may, in due time, make a part of the population of those districts; no patriot, who desires to see the virtue, peace, union and happiness of his country established, can possibly be indifferent to an object of such immense importance. Our prayer is, that the God of all grace may rouse the spirit of the nation on this subject; and that the friends of religion who may be convened for the purpose of taking it into consideration, in the month of May next, may be directed to the adoption of a system which shall serve to give increasing interest and energy of proceeding in this momentous concern, and prove a source of lasting blessings to our beloved country."

The feeling thus expressed by Drs. Alexander and Miller prevailed. After much consultation it was proposed to form a National Institution, embracing all those denominations that were on terms of "intercommunion and ecclesiastical correspondence." This was the case with the Presbyterian, Dutch Reformed, and Congregational churches. Delegates from these three denominations met in the city of New York, May 10th, 1826, and formed the American Home Missionary Society.

The plan for the Society's operations was generally and briefly this: to sustain Presbyterian ministers in feeble Presbyterian churches, Dutch Reformed ministers in Dutch Reformed churches, and Congregational ministers in Congregational churches. The ministers were required to be regularly authorized, and in good standing in their Presbytery, Classis or Association.

Of the hundred and twenty-six delegates in that Convention, fifty-two were from New England. One hundred and one were from the territory embraced within the bounds of the Presbyterian church, seventy of whom were members of the Presbyterian church.

Shortly after the formation of the Home Missionary Society, the General Assembly reorganized their Board of Missions.

The plan of the Home Missionary Society succeeded, and the Society flourished. But soon it was opposed by the friends of Ecclesiastical Boards. They advocated an exclusive policy, and endeavored to excite suspicion against the American Home Missionary Society.

When in 1828 the Assembly's Board was reorganized, it was seen that the two Societies would conflict. Then the Home Missionary Society was desirous to unite with the Assembly's Board. Their Executive Committee proposed a plan of union. Of that plan, the late Dr. Rice of Virginia said, "I do greatly approve of the plan proposed by the Executive Committee of the A. H. M. Society." But the plan was rejected, and the A. H. M. Society was greatly blamed, by the Old School party, for seeking a union.

The Old School party wished to rouse the church in favor of the Assembly's Board, which had hitherto been comparatively inoperative, against the A. H. M. Society. In 1829, only three years after the formation of the A. H. M. Society, this subject was brought up in the General Assembly, and the following preamble and resolution adopted:

"While the Assembly would affectionately solicit the co-operation of the churches with their own Board of Missions: yet as many of our churches have already united their efforts with the A. H. M. Society, and the A. B. C. F. Missions, therefore

Resolved, as the sense of the Assembly, that the churches should be left entirely to their own unbiased and deliberate choice of the medium through which their charities shall flow forth to bless the perishing." (Minutes, 1829, p. 374.)

This liberal policy did not suit the friends of Ecclesiastical Boards. In 1831, the A. H. M. Society was almost simultaneously attacked in Philadelphia and Cincinnati. At a meeting of the Cincinnati Presbytery in Jan. 1831, Rev. Mr. Crane, agent of the Assembly's Board of Missions, requested the Presbytery to appoint a Board of Agency for the Assembly's Board for the Valley of the Mississippi. This measure was advocated by Dr. Wilson and others. But the Presbytery refused to comply with the request. Dr. Wilson then threw out suspicions and

insinuations against the A. H. M. Society. Soon after this, he published a pamphlet entitled "Four Propositions sustained against the claims of the A. H. M. Society." Speaking of the friends of this Society he says, that "*they profess to be Presbyterians for the purpose of subverting the doctrines, and overthrowing the Presbyterian church.*" (p. 18.)

This was considered a very uncharitable suspicion against such men as Drs. Woods, Porter, Cornelius, Payson, Wisner, Griffin, Day, Humphrey, &c., of New England, and Drs. Rice, Blackburn, Alexander, Miller, Cox, McAuley, Richards, Skinner, Beman, Cleland, Nelson, Anderson, Allan, &c., of the Presbyterian church.

These charges too, were made against the A. H. M. Society in the year 1831, when it was known, that in the year 1830, that Society had done more to supply the destitute with the preaching of the gospel than had been done by the Assembly's Committee or Board in the space of almost forty years.

Soon after the publication of Dr. Wilson's pamphlet in Cincinnati, a second edition of five thousand copies was published in Philadelphia by the friends of the Assembly's Board.

In noticing this pamphlet, Mr. Peters, the Secretary of the Society, said: "If any have suspected us of ulterior views unfriendly to the Presbyterian church, will not our steady attachment to its best interests, and our zealous efforts to build up its desolations, in a little while convince all candid men, who are willing to come to the light, that their suspicions are unjust and cruel?" Again: "The stand taken by my friend, Dr. Wilson, with all the light he has upon the subject, surprises me much. But I am still not without hope, that on further reflection, he will come to a more friendly state of feeling towards the A. H. M. Society. Surely he must see that his suspicions of unfriendliness to the Presbyterian church on our part, are not only in the face of all the evidence, but also contrary to express and reiterated assurances of our unwavering desire to build up the Presbyterian church over the whole field of the West and the South. And are we not doing it more efficiently than all the other Missionary Societies together!"

The strong argument of the advocates of the Assembly's Board was, that the church, *in her distinctive character*, ought to evangelize the world; that is *ecclesiastically*, not through *voluntary* societies. To this it was replied, that Presbyterians regard their denomination only as a part of the general church, and that if for the reason assigned, they stand off from the A. H. M. Society, for the same reason they might refuse to operate with the A. B. C. F. Missions, the American Bible Society, the American Tract Society, or the American Sunday School Union.

The strife by this time rose high. The friends of Ecclesiastical Boards, or of an exclusive policy, appropriated to themselves the names, "Old School"—"the orthodox"—"true friends of the Presbyterian church." They called the friends of Voluntary Associations, "New School," charging them with a partiality for the Congregationalists, New England theology, &c. With many, *names* had a powerful charm. To the name "*New School*," the friends of a liberal policy have objected. But for the sake of distinction it has been used, knowing that the spirit and conduct of the parties ought to decide who are "the true friends of the Presbyterian Church;" knowing also, as President Young once said, that "*new powers* are often usurped while *old names* are retained."

It appears from the documents of 1831, that the Old School party endeavored to secure the control of the church, the funds, Missionary operations, &c., by creating an alarm about doctrines. The case of Mr. Barnes, which came before the Assembly of 1831, excited general interest, and afforded the Old School an opportunity of mingling doctrinal differences with every question that was agitated. But still they were unsuccessful.

The action of the Assembly of 1831 did not, therefore, satisfy the friends of the Assembly's Board. That party was in a minority. After the close of the Assembly, they appointed a Central Committee at Philadelphia to correspond with Committees which they appointed in every Synod supposed "to be friendly to their views, and disposed to co-operate in giving efficiency to their plans."

The appointment of these Committees, with a view eventually to control the highest judicatory of the church,

was regarded by the true friends of the church, as an unconstitutional and revolutionary measure. In July 1831, the Central Committee issued their Circular. It is too lengthy for insertion here. It can be seen in the Calvinistic Magazine and other periodicals of that day. It was a "panic" document as the following extract will show :

"Our Board of Education, and Board of Missions must both receive a liberal patronage and a decided support. This is essential. Without this we are undone. The Voluntary Associations that seek to engross the patronage of our church, and have already engrossed a large part of it, have taken the start of us, in the all-important concerns of education and of missions. They now labor to get the whole of these into their own hands; well knowing that if this be effected, they will infallibly, in a very short time, govern the church." Being in a minority, the Old School arrayed themselves against the General Assembly, the highest judicatory of the church. From the extract above, it will be seen that they were alarmed because their party could not "*govern the church.*"

At the same time, (July 1831) Dr. Green, in the Christian Advocate, commenced the publication of a series of numbers on "*The present state of the Presbyterian church.*" They were pretty much in the style of the "Circular," as a few extracts will show :

"We say then, that the members of the last Assembly appear to us to be far more strongly and characteristically marked by a difference in theological views and attachments, than those of any other Assembly we have ever seen. Indeed the difference we speak of was unhesitatingly avowed, by a number of the members in their speeches; and to give our readers a right understanding of it, we shall, as correctly as we can, divide those among whom this difference did and does exist, into two classes—sometimes called—and occasionally so called in the Assembly—the Old School and the New School Presbyterians." "We speak what we firmly believe, when we say, that unless, in the passing year, there is a general waking up of the Old School Presbyterians, to a sense of their danger and their duty, their influence in the General Assembly will forever afterward be subordinate, and under control; and we are willing that men of all parties

should know that such is our conviction. We wish for no concealment on the subject. It need not be told that those whom we have ranked in the second class of the constituent members of the Assembly, were a decided majority of that body. They chose a Moderator suited to their plans and intentions; and it was in their power to dispose of every measure that came before the judicature, just as they pleased." Then follows a dissertation upon the character of Drs. Beman and Peters. There is one remark in this connection, which is true, and manifestly so, in the treatment which the New School—a *majority*, received at the hands of their Old School brethren. "It will always happen that party spirit in one portion of the church will beget it in another. Indeed when parties exist, and are earnestly opposed to each other, *the one that uses no means to obtain or preserve an ascendancy, will almost immediately be crushed, by the one that actively employs such means.*"

The next extract from Dr. Green will show, that in his opinion, "*the principal cause*" of party spirit was in relation to *missionary operations*. As this difficulty was among the most prominent it should be well understood. Dr. Green says: "But the peculiar ardor of excitement now prevalent, is principally attributable to a special cause, which ought to be more distinctly marked. It is not the case of Mr. Barnes. That case was indeed made an adjunct, and an auxiliary of the principal cause; but the cause itself, the baneful apple of discord which has been thrown into the midst of us, is the inflexible purpose and untiring effort of the Corresponding Secretary and General Agent of the A. H. M. Society, to amalgamate the Board of Missions of the General Assembly with that Society."

On the other side, a "Disavowal" was published by prominent New School ministers, supposed to be implicated in the Christian Advocate, and by the Circular of the Central Committee. They say: "Now, if any persons adverse to the views and measures of Dr. Green, whom he calls *opponents*, are implicated by the foregoing charges, it is natural to suppose, from local circumstances and other causes, that some or all of the subscribers to this paper are intended: we think it, therefore, our duty

to the church and to ourselves, hereby solemnly to declare, that no one of us knew of any pre-concerted plan, combination, or effort, designed to affect the members, the character or the measures of the last Assembly." "We repel, also, the numerous insinuations directed against us, if classed with those who are called "New School Presbyterians," that we are hostile to evangelical orthodoxy, sound Presbyterianism, and the best interests of the Presbyterian church."

In reference to the Circular, they say: "We have read with pain the Circular signed by a *Central Committee of Correspondence* in this city; and we solemnly declare, that we know of no member of the Presbyterian church who has been willing to expose to hazard the vital interests of the same, or who desires either the mutilation or subversion of our Presbyterian system."

A similar disavowal was made by Dr. Beman in his Review of "The present state of the Presbyterian church." It was published in the *Philadelphian* in 1831. The following are extracts from that noble vindication.

"The same shades and modifications of doctrinal views have been held by the members of that body for many years past, and when any question came up adapted to call forth peculiar views, these shades and modifications have been disclosed. But let it be remembered, that we never had a case like that of Mr. Barnes till the present year. And the venerable Editor (Dr. Green) may thank himself if '*the difference in theological views and attachments*' were '*more strongly and characteristically marked*' than he could wish. Could a man be so infatuated as to suppose, that a minister, holding the sentiments expressed by Mr. Barnes, could be *deposed or censured as a heretic*, without creating some excitement in the Presbyterian church? The same effect essentially would have been witnessed, under similar circumstances, in any Assembly at least for twenty years past. But here let it be remarked, that this very case, though it called forth the expression of doctrinal views, did not produce any uniform or settled arrangement of parties. Some were in favor of Mr. Barnes, because they were essentially with him in sentiment; others because they have always known that similar sentiments were held and tolerated in the Presbyterian

church ; and *those persons* who have sustained Mr. Barnes, were some of them not only *pupils* but *teachers* in the Old School as well as the New." "From this discussion, it would seem that the *majority* and the *minority* in the last Assembly, were not formed on the principle of *doctrinal distinction*, but on the principle of *ecclesiastical order*. The terms Old School and New School more properly mark the difference in theological sentiment, and are employed somewhat incorrectly and loosely by this writer, where the terms *minority* and *majority*, or *High Church* and *Low Church* parties would have been more simple and appropriate, and much less liable to mislead the reader. A correct and analytical classification of the members of the last General Assembly, as it strikes me, would be the following. The majority were the Low Church Presbyterians. They are friendly to those voluntary associations which are the glory of our age and nation : such as the Board of Commissioners for Foreign Missions, the American Education Society, and the American Home Missionary Society. They love these Societies, because their constitutions breathe a liberal spirit, and because their beneficent course has secured the confidence of the public." "If the *object* of this public alarm is demanded, Dr. Green himself shall answer the question. 'We speak what we firmly believe, when we say, that unless, in the passing year, there is a general waking up of the Old School Presbyterians to a sense of their danger and their duty, *their influence in the General Assembly will forever afterward be subordinate and under control.*' This text is plain enough without a comment. The imminent '*danger*' that now threatens the church is, that the '*Old School Presbyterians*' are likely to lose '*their influence in the General Assembly,*' and their pressing duty is to exert themselves, this year, to regain this *influence.*'"

The last quotation we will make from Dr. Beman, when compared with subsequent developments, will show that he well understood the merits of the controversy. He says : "The great controversy now carried on in the Presbyterian church principally relates to questions of *ecclesiastical order* ; and among these the mode of conducting missions appears to be considered the most important by

the High Church party. This question, if we may credit the Advocate, more than any thing else, now feeds the fire of party zeal; and if alienation is to increase, and the breach to become wider, and more and more ruinous, it would seem probable that this is to constitute the principal source of the desolating mischief. True, Dr. Green has sounded the alarm against *heresy*, and said many things which would lead the ignorant and timid to apprehend that our *doctrinal standards* are about to be annihilated, but when he touches the cord of '*ecclesiastical order*,' there is a vibration which tells us the whole truth."

From an impartial review of the controversy at that time, it is manifest that the commotion was made by the Old School struggling for power. Dr. Green was one of the oldest and most excellent men in the church. He and a few others about Philadelphia had long been in the habit of controlling the General Assembly. The delegates to the Assembly had been in the habit, year after year, of going up to Philadelphia, and giving their sanction to these fathers and brethren. But now, when the church had grown to considerable size, and the public sentiment of the church was likely to go in favor of voluntary societies, and in opposition to the plans and control of these brethren, they became alarmed, supposing that while they were in a minority, the truth and order of the church would be exposed to "*impending ruin*." Hence Dr. Wilson, in his Standard in 1831, in speaking of the New School, says: "Who (unless God of his infinite mercy arrest the evil,) will in a short time be able to control every existing judicatory and institution of learning belonging to the Presbyterian church throughout the whole land."

Admitting that these brethren conscientiously believed that the church was in danger unless their plans were carried out, it is still evident, from the emphasis they lay on the word "*control*," they were under the influence of the littleness of party fear. They could not brook the idea of the Assembly's being under the *control* of the other party!

From the history of those times, it is also manifest that if the majority had been willing to be governed by the minority, *doctrinal difference* would have created no diffi-

culty—New England Divinity could easily have been tolerated. The error of the New School, therefore, in 1831, (if error it can be called) was in refusing to let the *minority* govern the church!

In reference, however, to the missionary question, the Assembly of 1831 was desirous to have the difficulties compromised. They passed the following resolution:

“That in view of existing evils, arising from the separate action of the Assembly’s Board of Missions and the A. H. M. Society in the West, it be recommended to the Synods of Ohio, Cincinnati, Indiana, Illinois, Kentucky, Tennessee, West Tennessee, and the Presbyteries in the West connected with them, to correspond with one another and devise a plan for carrying on missions in the West, and report the result of their correspondence to the next General Assembly; it being understood that brethren in the West shall be left to adopt their own plan, and any other Synods and Presbyteries, besides the above mentioned, in the Valley of the Mississippi, may be embraced in the correspondence, if they desire it.”

In conformity with this recommendation, a Convention met at Cincinnati in November 1831. Delegates from twenty Presbyteries were present. The result of their deliberations was favorable to the Assembly’s Board, as appears from the following resolution:

“*Resolved*, That under these circumstances they deem it inexpedient to propose any change in the General Assembly’s mode of conducting missions, as they fully approve of that now in such successful operation; and that the purity, peace and prosperity of the Presbyterian church materially depend on the active and efficient aid the sessions and Presbyteries under its care may afford to the Assembly’s Board.” (Minutes of Convention, p. 14.)

With the action of the majority, the minority were dissatisfied. They submitted to the public a Report, in a pamphlet of forty-eight pages, in which they protested against the course pursued by their Old School brethren in the Convention. They complained that the members of the Synod of Pittsburgh, which was not named, or contemplated in the Assembly’s resolution, were admitted to seats, and that they controlled the Convention. They said the Home Missionary interest in the West was not

represented. They complained, that the *official influence* of the Assembly's Board had been used to prevent any compromise or agreement short of what would result in the ultimate death of the A. H. M. Society; and that the instructions of the Assembly had not been regarded by the majority of the Convention, inasmuch as the Assembly had recommended some action, that all might "endeavor to agree upon some plan of conducting missions," and the course of the majority was calculated to preclude all agreement. (See Report.)

After this, efforts at union or agreement were generally abandoned. The friends of each Society pursued their own way.

The character, strength and plans of the parties remained, for the most, unchanged, during the years 1831, 2, 3, and 4. Each year the New School had the majority in the Assembly. Had they designed to revolutionize the church, they could have done it; for, in the language of Dr. Green, "it was in their power to dispose of every measure that came before the judicature just as they pleased." But their course was marked by great moderation and forbearance.

CHAPTER VIII.

VOLUNTARY SOCIETIES AND ECCLESIASTICAL BOARDS.

The opposition which was made to the A. H. Missionary Society gave rise to the general controversy about the manner of conducting benevolent operations. The A. B. C. F. Missions, and the A. Education Society, and the A. H. M. Society were called Voluntary Societies—not under the *ecclesiastical* control of the Presbyterian, Congregational, or Dutch Reformed Church, but patronized by these several churches—bodies which are Calvinistic in their creeds, and which recognize each other as orthodox, and are upon terms of friendly correspondence. Upon this principle—the voluntary—are founded the A. Bible, the A. Tract, the A. Temperance, and the A. Sunday School Societies.

The New School were generally the friends of the Voluntary Societies, and the Old School the friends of Ecclesiastical Boards.

The friends of ecclesiastical organizations urged that missionary and other benevolent efforts to convert the world, ought to be under the control of the church, in her *distinctive capacity*; that Presbyterians, in educating young men for the ministry and in sending ministers to the destitute in our own country or to the heathen, ought not to co-operate with Congregationalists, or others, in a Voluntary Society; that all the secular and financial business of the work of missions ought to be under the supervision of the General Assembly; that upon the voluntary principle, we could have no security for the truth and order of the church.

The friends of the voluntary principle were the active friends of missions and other benevolent efforts. They

considered themselves free to unite with others, in any way that would promise success. They conceded to the church the right and power to preserve doctrinal purity and discipline. But they denied to the church any power to control the property of her members. They cherished a high regard, upon principle, for associations which were "free and voluntary, unsupported by civil and ecclesiastical power."

They urged that the Great Head of the church left it to his people to act *voluntarily* in their efforts to evangelize the world. He left it to the conscience of each disciple, *how much* he would give, and *for what*, and *through what channel*, and in this, to be *uncontrolled* by any church court.

They urged, that the Presbyterian church was only a small part of the Church of Christ, and to confine the efforts of our members to our party organizations was adopting an exclusive, sectarian policy unauthorized by the Word of God; that Jesus Christ did not range his people under sectarian banners, that they might manifest more zeal for a party than for our common evangelical christianity.

It was also urged, that our General Assembly, as a church court, was not calculated to conduct efficiently the benevolent enterprises of the age. The members of the Assembly live far apart—are changed generally every year—know comparatively little of the work, and are together only a few days. The Boards of their appointment were the most irresponsible of any—not answerable to the public—only to the Assembly—exhibiting an unlovely feature that has caused even Old School men to call such a contrivance "*a Presbyterian hierarchy.*"

The supervision of these Boards by the Assembly must ever be exceedingly imperfect, rather a hindrance to their energetic and healthful action: or, when there is mismanagement, this supervision might be made a cloak to hide abuses from the public eye.

It was furthermore urged, that the General Assembly was constituted, as a bond of union, for the preservation of truth and order; not to attend to the secular affairs of schools, colleges, seminaries of learning, boards, &c. And especially that the handling of large sums of the money be-

longing to the various societies would hazard the spiritual affairs of the church, by presenting temptations to avarice, ambition, jealousy, intrigue, bargain, &c. And that it was dangerous to give to our General Assembly *legislative, judicial, and executive power*, all backed by the large and increasing funds of the church; and that nothing was better calculated to hasten the corruption, and secure the overthrow of the church than such a concentration of power.

The controversy about the American Home Missionary Society has already been noticed. That about the A. B. C. F. Missions will be in its proper place.

CHAPTER IX.

ASSEMBLY OF 1831--MR. BARNES' CASE--RE-EXAMINATION--ELECTIVE AFFINITY.

The struggle about the American Home Missionary Society had thrown the church into commotion, before the case of Rev. Mr. Barnes came up: This, however, aided in keeping up the excitement between the parties.

In 1830, Mr. Barnes received a call to become the pastor of the First Presbyterian church in Philadelphia. The minority of the Philadelphia Presbytery tried to prevent his becoming pastor of said church. In this they were overruled by the majority. They then insisted on the right to examine him respecting his theology. In this they were also overruled. They then complained to the Synod of Philadelphia. The Synod referred the complainants back to the Presbytery, and ordered the Presbytery to hear and decide upon their objections to the orthodoxy of Mr. Barnes' Sermon, styled "The Way of Salvation."

By this time, the minority of Presbytery had become the majority. The case was then referred to the General Assembly. The following resolutions were there adopted :

"1. *Resolved*, That the General Assembly, while it appreciates the conscientious zeal for the purity of the church, by which the Presbytery of Philadelphia is believed to have been actuated, in its proceedings in the case of Mr. Barnes; and while it judges that the sermon, by Mr. Barnes, entitled "The Way of Salvation," contains a number of unguarded and objectionable passages; yet is of the opinion, that, especially after the explanations which were given by him of those passages, the Presby-

tery ought to have suffered the whole to pass without further notice.

2. *Resolved*, That in the judgment of this Assembly, the Presbytery of Philadelphia ought to suspend all further proceedings in the case of Mr. Barnes."

This case gave rise to two other questions, viz:—1. Whether Presbyteries have the right to *re-examine* ministers coming to them, with clean papers, from other Presbyteries? and 2. Whether it was unconstitutional to divide Presbyteries upon the principle of *Elective Affinity*?

The Old School contended for the right to re-examine ministers, coming from other Presbyteries. They contended, and with much plausibility, that every society ought to judge of the qualifications of its own members.

On the other hand, it was urged, that the Presbyteries were only parts of one great society, the qualifications of whose members are to be judged of according to the Book of Discipline. Indeed the action of the church, in the highest judicature, has been against this practice. Our present revised form of government was adopted by the General Assembly in 1821. On the same page with the record of the adoption, are the following minutes:

"The following Overture, from the Presbytery of Baltimore, was received and read, viz:

That after the twelfth article of the tenth Chapter of the revised Form of Government, the following be added: "Thirteenth. *Every Presbytery shall judge of the qualifications of its own members.* On motion,

Resolved, That it is inexpedient to grant the request contained in the above overture; or make any new alterations at present in the Book of Discipline."

It would seem from this, that the Baltimore Presbytery thought that the Book of Discipline did not give them the right to re-examine those in good standing coming from other Presbyteries. And the Assembly, at the time of adopting our Form of Government, thought it inexpedient to adopt such regulation, so well calculated to impair confidence and alienate the affections of the ministers of one Presbytery from those of another.

The contest about *elective affinity* was of similar bearing. This difficulty grew out of the attempt of the Philadelphia Presbytery to prevent the settlement of Mr.

Barnes as pastor of the First Church in Philadelphia. In 1831, the General Assembly passed the following resolution:

Resolved, That it will be expedient, as soon as the regular steps can be taken, to divide the Presbytery in such a way as will be best calculated to promote the peace of the ministers and churches belonging to the Philadelphia Presbytery."

According to the usage of the church, for many years, and to the powers granted, it was the duty of the Synod of Philadelphia to do this. But at their next meeting they refused, the majority being Old School. In 1832, certain members of the Philadelphia Presbytery presented to the General Assembly a complaint against the Synod, for refusing to divide the Presbytery. After a number of days spent in deliberation on the subject, the Assembly erected the Second Presbytery of Philadelphia, embracing Mr. Barnes and thirteen other ministers, and fourteen churches. This measure was carried by a vote of 158 to 33.

This new Presbytery was not bounded by any lines or streets, but composed of ministers and churches, scattered over the city and its vicinity, that had a sympathy for each other. It was evident to the General Assembly, that there was no prospect of the two parties in the old Presbytery acting harmoniously. The New School in the Presbytery, being in a minority, stated to the Assembly, that they were straitened in their work, and that their influence and usefulness were prevented by brethren in the same Presbytery. This was a case that threatened the peace of the whole church. And it was the duty of the Assembly to promote the peace of the church. They felt bound to make an effort to put an end to this controversy. They, therefore, said to Drs. Ely, McAuley and others, take your brethren, and go in peace, and let Dr. Green and his friends live to themselves and be at peace.

In this controversy the Old School were violent against elective affinity, urging that it was absurd and unconstitutional for a Presbytery to have no geographical limits, or for two Presbyteries to cover the same ground.

The other party urged, that the Assembly had a right to erect a Presbytery—that the peace of the church de-

manded it—that the Assembly had before done it—and that the elective affinity principle had been acquiesced in, very happily, by the Old School, when it had operated to increase their power, as in the case of the union with the Associate Reformed Church in 1821. According to that plan, as adopted by the Assembly, the affinity principle is fully carried out. One article of that plan was as follows :

“The different Presbyteries of the Associate Reformed Church shall either retain their separate organization, or shall be amalgamated with those of the General Assembly at their own choice. In the former case [by elective affinity] they shall have as full powers and privileges as any other Presbytery in the united body.

In this case, the Assembly which adopted our revised Form of Government, allowed those Presbyteries, coming to us from another body, to retain their former organization. One of them did this. And thus the General Assembly permitted two Presbyteries—an Assembly Presbytery and an Associate Presbytery—to cover the same ground and have jurisdiction over the same territory.

It was, therefore, urged by the friends of the Second Presbytery, that it was strange, that the elective affinity principle could give Presbyterial existence to *Seceders* and not to Presbyterians!

The Synod of Philadelphia, being Old School, in the fall of 1832 refused to receive the delegates from the Second Presbytery, and declared the Act of the General Assembly, in forming the Second Presbytery, *unconstitutional and void!* The Assembly of 1833 would not submit to the dictation of the Synod, but adhered to the principles of the former Assembly.

In the fall of 1833, the Synod so far yielded to the authority of the General Assembly as to admit the Second Presbytery to membership. But the Synod then formed a new division, regardless of the recommendation of the Assembly. The Assembly again, in 1834, shewed a determination to carry out their measures, in sustaining the Second Presbytery. And to prevent further difficulty with the Synod of Philadelphia, they erected a new Synod, the Synod of Delaware, throwing the Second Presbytery into a new Synodical relation.

In 1835, the Assembly, (the Old School having a majority,) dissolved the Synod of Delaware, and threw the Second Presbytery back into the Synod of Philadelphia. The Synod at their meeting in the fall dissolved the Presbytery. The Assembly again, in 1836, (the New School again having a majority,) stood by the majority. But as the Synod now had a Second Presbytery, the Assembly's Second Presbytery was named the Third Presbytery of Philadelphia. The Assembly, however, at this time assigned geographical limits to their Presbytery, in the belief and general understanding that it was to terminate the dispute in relation to the alleged unconstitutional existence of the Presbytery, on the ground of elective affinity. But this arrangement was of short duration; for the next Assembly, being Old School, in their work of reform, swept this Presbytery from existence!

It ought not to be forgotten, that after the trial of Mr. Barnes, and during these contentions about elective affinity, &c. Dr. Miller, a Professor in the Theological Seminary at Princeton, wrote his famous "*Letters to Presbyterians, on the present crisis in the Presbyterian Church in the United States.*" They were extensively circulated and read. Coming from the seat of orthodoxy, importance was attached to them, and they exerted an influence—an influence, though not intended, yet injurious to the church. They contributed to the alarms and suspicions, which afterwards alienated the affection and confidence of ministers and people, and to the strifes which resulted in the schism of the church. Many good things were smoothly said, but in such a way as to operate wonderfully in undermining confidence in ministers, and leading to violent measures—such measures as even Dr. Miller did not anticipate, when thus fanning the flame—and such measures as he attempted afterwards, in vain, to arrest, when he found that some had over-acted their part, and got greatly in advance of himself in seeing the dangers of the church in "*the crisis.*"

Among the violent measures referred to was the "Act and Testimony," which will come under review in the next Chapter.

CHAPTER X.

THE ACT AND TESTIMONY.

The Old School party, having been in the minority in the Assembly for a number of years, became so restless in the Assembly of 1834, that they resolved upon a system of new measures, to gain, if possible, the ascendancy, that they might carry their plans in the church.

Accordingly, at the close of the Assembly of 1834, a small portion of that body, the most thorough-going of the Old School, had a meeting. As the result of their deliberations, they drew up the famous "*Act and Testimony*," which was signed by thirty-seven ministers and twenty-seven elders. It was designed to operate as a Test Act, and thus very much resembles the old Solemn League and Covenant.

As it has been regarded the entering wedge to schism, and has exerted much influence, it ought to be preserved. It was addressed "to the Ministers, Elders, and Private Members of the Presbyterian Church in the United States." It begins thus:

"BRETHREN BELOVED IN THE LORD:—In the solemn crisis, in which our church has arrived, we are constrained to appeal to you in relation to the alarming errors which have hitherto been connived at, and now at length have been countenanced and sustained by the acts of the supreme judicatory of our church.

Constituting, as we all do, a portion of yourselves, and deeply concerned, as every portion of the system must be, in all that affects the body itself, we earnestly address ourselves to you, in the full belief, that the dissolution of our church, or what is worse, its corruption in all that

once distinguished its peculiar testimony, can, under God, be prevented only by you.

From the highest judicatory of our church, we have for several years in succession sought the redress of our grievances, and have not only sought it in vain, but with an aggravation of the evils of which we have complained," &c.

The whole is too lengthy for insertion here. Its spirit may be judged of from the above quotation. The attempt was made to alarm the churches. The burden of the document was about "*doctrine*"—"discipline"—and "*church order.*" It charged upon the New School the grossest heresies and disorders.

It appeared in Kentucky in the *Western Luminary*, of 13th August, 1834. The editor of that paper, who is an Old School man, said of this document—"We give it simply as an article of news—a portion of the history of the times. We think it but due, however, to our brethren of the ministry and eldership of this region, to state that so far as our acquaintance extends, we know of no one who holds any of the doctrinal views which are justly designated as errors in the Act and Testimony." This document met the approbation of a very small number of the Synods or Presbyteries. Some objected to it, because they denied to a few ministers and elders the right of requiring the church to subscribe a new Test Act. Others disapproved of it, because they considered it a slander on the General Assembly and the Presbyterian Church. And many opposed it, because they regarded the measures proposed, in the language of the Princeton brethren, "*extra-constitutional and revolutionary,*" and designed "*to effect the division of the Church.*"

The Act and Testimony was reviewed, and severely censured by the Princeton Professors, in the *Biblical Repertory*, a decidedly Old School periodical, and as such, the organ of the party. A few extracts from their review will shew in what light they viewed this document. They say :

"Had the meeting in Philadelphia, therefore, been contended to send forth their solemn testimony against error and disorder, and their earnest exhortation to increased fidelity to God and his truth, we are sure none could rea-

sonably object." "But when it is proposed *to number* the people; to request and urge the signing of this Testimony as a test of orthodoxy, then its whole nature and design is at once altered."

"Here is one of the most serious evils of the whole plan. It makes one a heretic, or an abettor of heresy, not for error in doctrine, not for unfaithfulness in discipline, but because he may be unable to adopt an extended document as expressing his own opinions on a multitude of facts, doctrines and practical counsels. This is an assumption which ought not to be allowed. It is an act of gross injustice to multitudes of our soundest and best men; it is the most effectual means of splitting the church into mere fragments, and of alienating from each other men who agree in doctrine, in views of order and discipline, and who differ in nothing, perhaps, but in opinion as to the wisdom of introducing this new League and Covenant."

"Our first leading objection, then, to this document is, that it is not what it professes to be, a Testimony, but a Test."

"Is it then true, that the highest judicatory of our church has 'countenanced and sustained' the doctrine, that we have no more to do with the sin of Adam than with the sins of any other parent—that there is no such thing as original sin—that man's regeneration is his own act—that Christ's sufferings are not truly and properly vicarious? How serious the responsibility of announcing to the world that such is the case." "We do not believe it to be true."

"Is it to be expected that, at this time of the day, the Assembly would solemnly condemn all who do not hold the doctrine of a limited atonement?"

Here is a development not often made. It is taken for granted that "*a limited atonement*" is the doctrine of the Old School, but that the Assembly ought not to condemn those who believe in a general atonement! But to go on with our extracts:

"We cannot but regard, therefore, the recommendation of this document, that churches and ministers consider certain acts of the Assembly unconstitutional, as a re-

commendation to them to renounce their allegiance to the church, and to disregard their promises of obedience.”

“Division, then, is the end to which this enterprise leads, and to which, we doubt not it aims.” Here in a note the writers say: “Since writing the above, we see that this intention is denied in the Presbyterian. We have heard other signers of the Act and Testimony, however, very distinctly avow their desire to effect a division of the church.”

“The point now before us, however, is the true nature of its recommendations. We say they are extra-constitutional and revolutionary, and should be opposed by all those who do not believe that the crisis demands the dissolution of the church.”

“We have more than once remarked, that this recommendation was designed to necessitate either the annulling of the acts of the Assembly complained of, or the division of the church. It was designed to make a case from which there could be no escape; to assume such a position as would produce a state of confusion and difficulty perfectly intolerable, in order that the Assembly should be forced either to retract or submit to have the church divided.” [We quote from the Western Luminary, November 19, 1834, and March 4, 1835.]

Here the spirit of the Act and Testimony men—the spirit that finally triumphed among the Old School, is forcibly stated by the Princeton brethren, themselves Old School. They determined, “*that the Assembly should be forced to retract, or submit to have the church divided.*” That is, *they determined to rule the church or rend it.*

This controversy about the Act and Testimony had well nigh broken up the friendship of its reputed author, the Rev. R. J. Breckinridge, and the Princeton brethren. Indeed, it was regarded as something novel, that Mr. Breckinridge, who in 1832 was an Elder in the Assembly, should in 1834 regard himself as the great champion of order and orthodoxy. But no less strange than true, his measures at last triumphed over the Princeton fathers, and hosts of others, who had never seen the dangers to which the church was exposed till Mr. Breckinridge found his way into the church!!

The above extracts from the Repertory will show clearly, that the Act and Testimony was not well received by the wisest and best men among the Old School. They regarded it as a Grecian horse, full of danger, though professedly a *vow* to orthodoxy. They raised a warning voice, like the faithful priest of Troy :

“Aut haec in nostros fabricata est machina muros,
Inspectura domos, venturaque desuper urbi ;
Aut aliquis latet error : equo ne credite, Teucrici.”

Of course, it was very odious to the New School, viewed by them as the entering wedge of schism. Indeed, the subsequent history of the church shows, that it was at the time fairly interpreted and fully understood.

But to show how it was regarded by other denominations, a few extracts are given from the Christian Spectator, a quarterly periodical, among the Congregationalists. The reviewer of the Act and Testimony in that Journal says :

“What then is the *Act and Testimony*? It is a new *confession of faith*, or a recently invented test of *orthodoxy*, agreed upon, subscribed, and published, by thirty-seven ministers, and twenty-seven elders of the Presbyterian church, at the close of the last General Assembly in Philadelphia.” “The introduction does not abound in the qualities of conciliation, which some masters of rhetoric tell us, ought to be prominent in this part of a discourse. It is more in keeping with the habits of a western huntsman; for it takes the beast by the horns at the very outset of the battle. Or, to pass by one bold stride from the wilderness to the ocean, these *Act and Testimony* brethren are no sooner embarked, than they nail the flag of nullification to the mast.”

“The subscribers of this document begin by a practical renunciation of their whole system; and if their solemn manifesto proves any thing, it proves, that, *quoad hoc*, they are not Presbyterians. They have erected a new tribunal, unknown to their standards; and before this voluntary and irresponsible association, they arraign all delinquents, whether the peccant General Assembly, or ministers suspected of heresy.”

“The subscribers of this document avow their *fixed adherence* to their *standards* of ecclesiastical order, while the very document in which they make this profession, is, both in essence and action, at war with the whole system. They acquit themselves of all responsibility for the *subversion of forms publicly and repeatedly approved*; while they are subverting those very forms themselves. They tell us, that they are laboring for the restoration of *scriptural order* to their church; and yet they attempt that reformation by means which contravene their own notions of ecclesiastical organization. They intend, if possible, to exclude from the church, those who *subvert her established forms*; and yet, in compassing this end, they themselves perpetrate the act of subversion.” “They believe that *the form of government of the Presbyterian Church* accords with the will of God, and deprecate every thing *that changes its essential character*; while, in their practice, they are fast verging to Congregationalism—a form of government at which they almost instinctively shudder.” [Quarterly Christian Spectator, March, 1835.]

The Act and Testimony was considered a document of little intrinsic value. Yet its relative influence proved to be great. It was a bold nullification measure, well calculated to marshal every restless and belligerent spirit—to create a panic among the lovers of truth who were uninformed, and to cause the intelligent friends of peace and order to mourn over an anticipated and bitter strife, and the most fearless heart to tremble for the integrity of the church and the honor of religion. It may indeed be questioned, whether any document, since the days of the Solemn League and Covenant, has ever proved so ruinous to the Presbyterian Church as the Act and Testimony. Here the controversy began in good earnest. These men, a small minority, virtually declared, that they would *rule or rend* the church; or, in the language of the Princeton Professors, “*that the Assembly should be forced either to retract, or submit to have the church divided.*” What was now to be done? Must the *majority* consent to be ruled by the *minority*, rather than witness the sin and sorrow of division? Moderate Old School men, and mod-

rate New School men yielded, one after another, until the Act and Testimony men gained the ascendancy, and at last the work of schism was carried forward with fearful despatch in the excising acts of 1837, and the reform acts and ordinances of 1838.

CHAPTER XI.

GENERAL ASSEMBLY OF 1835.

This year the General Assembly met at Pittsburgh. The week before the meeting of the Assembly, the Old School Convention met at the same place, in obedience to the call of the Act and Testimony. The Convention party succeeded in bringing into the Assembly a majority of Old School men, and in controlling the body that year.

When the Assembly met, the Convention had a lengthy "Memorial" ready for their action. In it they complained of some eight grievances of this nature, viz. :

1. That the Assembly would not sanction a re-examination of ministers going from one Presbytery to another.

2. That the Assembly would not condemn a book irrespective of its author.

3. That the Assembly had favored the *elective affinity* principle.

4. That the Assembly permitted the American Home Missionary Society to operate in the bounds of the Presbyterian Church.

5. That the Church had been too lax in the education of young men for the ministry.

6. That the Plan of Union of 1801 had not worked well for the Presbyterian Church.

7. That the Plans of Union and Correspondence with New England and other churches were dangerous to truth and order.

8. That the General Assembly had not been sufficiently concerned for the orthodoxy of the church.

This, in few words, is the sum of that long document. It was referred to a Committee. Their report was favorable to this Memorial. The Assembly decided, that the Presbytery had a right to re-examine—that any

church court had a right to censure an author's book, irrespective of the author, and that the erection of Presbyteries upon the principle of elective affinity was contrary to the spirit of our form of government. They also ordered, that the Synod of Delaware should be dissolved "at and after the meeting of the Synod of Philadelphia in October next." Thus the Assembly's Second Presbytery was thrown back into the old Synod.

The Assembly were unwilling to carry out the policy of the Memorialists in reference to Voluntary Associations. On this subject they said: "It is not expedient to prohibit, within our bounds, the operations of the Home Missionary Society, or of the Presbyterian Education Society, or any other Voluntary Association not subject to our control."

They were of the opinion, that it was not desirable that the Plan of Union of 1801 should any longer operate in the Presbyterian church.

They also expressed their readiness to condemn "Pelagian and Arminian errors," and exhorted all our Presbyteries and Synods to exercise the utmost vigilance in guarding against the introduction and publication of such pestiferous errors."

As the Old School had the majority in this Assembly, and carried most of their measures, and as the New School were disposed peaceably to submit to the action of the Assembly, there was a cheering prospect of a better state of things.

CHAPTER XII.

THE FOREIGN MISSION QUESTION--ASSEMBLY OF 1835

The subject of Foreign Missions came up in the Assembly of 1835, and produced an unpleasant controversy.

The American Board of Commissioners for Foreign Missions was organized in 1810—a *voluntary association*; so constituted as to enlist the co-operation of the Presbyterian, Congregational and Dutch Reformed Churches. A number of years after that, the Western Foreign Missionary Society was formed—an *ecclesiastical society*, under the control of the Synod of Pittsburgh.

In the Assembly of 1835, the "Committee of Bills and Overtures" reported an overture in relation to Foreign Missions. A Committee was appointed. They reported and recommended, that it was the conviction of the General Assembly, that the Presbyterian Church, in her "*distinctive character*," ought to send the Gospel to the heathen, and that a committee be appointed to confer with the Synod of Pittsburgh on the subject of the transfer of the Western Foreign Missionary Society to the General Assembly, and report to the next Assembly.

In the Assembly of 1835, there were two hundred and thirty-four members who had a right to vote. But near the close of the Assembly, when nearly two thirds of the members had left, the following resolution was adopted, viz:

"*Resolved*, That the Committee appointed to confer with the Synod of Pittsburgh, on the subject of the transfer of the supervision of the Western Foreign Missionary Society to the General Assembly, be authorized, if they

should approve of the said transfer, to ratify and confirm the same with the Synod, and report the same to the next General Assembly." Minutes of 1835, p. 33.

Of this attempt, in such a way, to undermine the American B. C. F. Missions, the New School greatly complained.

The Committee, in the fall of 1835, submitted to the Synod of Pittsburgh, "Terms of Agreement." They were accepted by the Synod.

At the meeting of the Assembly, in 1836, these "Terms," ratified and confirmed, not by the Church, nor by the Presbyteries, nor by the General Assembly, but by a committee of five men, were submitted to the General Assembly. They were committed to Drs. Phillips and Skinner, and Messrs. Scovel, Dunlap and Ewing. The majority of the Committee reported favorably to the Terms of Agreement. Among other things they say :

"It appears, then, to your Committee, that the Assembly have entered into a solemn compact with the Synod of Pittsburgh, and that there remains but one righteous course to pursue, which is, to adopt the report of the Committee appointed last year, and to appoint a Foreign Missionary Board. To pause now, or to annul the doings of the last Assembly in this matter, would be obviously a violation of contract, a breach of trust, and a departure from that good faith which should be sacredly kept between man and man, and especially between christian societies ; conduct, which would be utterly unworthy of this venerable body and highly injurious to the Western Foreign Missionary Society."

They recommended the adoption of the following resolutions, viz. :

"1. *Resolved*, That this report of the Committee, appointed by the last General Assembly to confer with the Synod of Pittsburgh on the subject of a transfer of the Western Foreign Missionary Society to the General Assembly, be adopted, and that said transfer be accepted on the terms of agreement therein contained.

"2. *Resolved*, That the Assembly will proceed to appoint a Foreign Missionary Board, the seat of whose operations shall be in New York."

Dr. Skinner, as the minority of the Committee, presented the following counter report, viz. :

“Whereas, the Am. B. C. F. Missions has been connected with the Presbyterian church from the year of its incorporation, by the very elements of its existence; and whereas, at the present time, the majority of the whole of the Board are Presbyterians; and whereas, it is undesirable, in conducting the work of Foreign Missions, that there should be any collision at home or abroad: therefore,

Resolved, That it is inexpedient, that the Assembly should organize a separate Foreign Missionary Institution.”

After a long debate, the plan proposed by the Committee was rejected by a vote of 111 to 106, which exhibited a majority of five for the New School, or against an ecclesiastical organization.

Against this decision, Dr. Miller offered a protest signed by eighty-two members of the Assembly. It was entered on the Minutes, and was as follows:

“The undersigned would solemnly protest against the decision of the General Assembly, whereby the report of the Committee of the last General Assembly respecting the Western Foreign Missionary Society was rejected: for the following reasons, viz. :

1. Because we consider the decision of the Assembly in this case as an unjustifiable refusal to carry into effect a solemn contract with the Synod of Pittsburgh, duly ratified and confirmed under the authority of the last Assembly.

2. Because we are impressed with the deepest conviction, that the Presbyterian Church, in her ecclesiastical capacity, is bound, in obedience to the command of her Divine Head and Lord, to send the glorious gospel, as far as may be in her power, to every creature; and we consider the decision of the Assembly in this case as a direct refusal to obey this command, and to pursue one of the great objects for which the church was founded.

3. Because it is our deliberate persuasion that a large part of the energy, zeal and resources of the Presbyterian church cannot be called into action in the Missionary

cause, without the establishment of a Missionary Board by the General Assembly. It is evident that no other ecclesiastical organization, by fragments of the church, can be formed, which will unite, satisfy, and call forth the zealous co-operation of those in every part of the church who wish for a general Presbyterian Board.

4. Because, while a majority of the Assembly acknowledge that *they* had a Board which fully met all the wants and wishes of themselves and those who sympathized with them, they refused to make such a decision as would accord to us a similar and equal privilege; thereby as we conceive, refusing that which would have been only just and equal, and rejecting a plan which would have greatly extended the missionary spirit, and exerted a reflex beneficial influence on the churches thus indulged with a Board agreeable to their views.

5. Because to all these considerations, urged with a solemnity and affection, the majority of the Assembly were deaf, and have laid us under the necessity of protesting against their course, and of complaining that we are denied a most reasonable, and to us, precious privilege, and of lamenting that we are laid under the necessity of resorting to plans of ecclesiastical organization, complicated, inconvenient, and much more adapted, on a variety of accounts, to interfere with ecclesiastical harmony than the proposed Board could have been."

A committee was appointed by the Assembly to answer this protest. Dr. Peters, the Chairman, presented the following, which was adopted by the Assembly, and entered on the Minutes, viz. :

"In answer to the protest of the minority of the General Assembly, on the subject of Foreign Missions, the majority regard it as due to the churches and the friends of missions generally, to state some of the grounds on which they have declined to carry into effect the arrangement adopted and reported by the Committee of the last General Assembly, in regard to the West. For. Missionary Society.

We are of opinion,

1. That the powers intended to be conferred upon the above Committee, by the last General Assembly, to ratify

and confirm the transfer of the said Society from the Synod of Pittsburgh to the General Assembly on such terms as the said Committee might approve, are altogether unusual and unwarranted; and especially that it was indiscreet and improper for that Assembly to attempt to confer such unlimited powers for such a purpose, in the existing state of our churches, upon so small a Committee, and that too on the last day of the sessions of the Assembly, when more than one half of the enrolled members of the body had obtained leave of absence, and had already returned to their homes.

2. That it was unwarrantable and improper for the above Committee, in the exercise of the extraordinary powers proposed to be conferred on them, to incorporate in their agreement with the Synod of Pittsburgh the condition, that the supervision of the Missions of the Missionary Board intended to be organized should never be alienated by the General Assembly, thus endeavoring to bind irreversibly all future Assemblies by the stipulations of that Committee.

3. It is, therefore, our deep conviction that it was the duty of the Assembly to resist the unwarrantable and extraordinary powers of the above Committee, and to reject the unreasonable condition of the contract with the Synod of Pittsburgh.

4. It is our settled belief that the church is *one* by Divine constitution, and that the command is of universal obligation--"Let there be no divisions among you," and that whatever advantages or disadvantages may have resulted from the division of the church into numerous denominations, with conflicting opinions, it cannot be our duty as Christians, to perpetuate and extend these divisions, by incorporating them in our arrangements to spread the gospel in heathen lands. We cannot, therefore, regard the division of the Assembly, in this case, as a refusal to obey the command of the Head of the Church to preach the gospel to every creature. That command, as we understand it, is not to the Presbyterian church in her distinctive ecclesiastical capacity, but to the *whole church*, to the collective body of Christ's disciples of every name. It was that they may the more effectually *obey* the above command, by uniting

with Christians of other denominations in the noble work of foreign missions, that the Assembly declined to carry into effect the proposed organization, restricted to the Presbyterian church.

5. We do not agree with the protestants in the opinion, that the resources of any part of the Presbyterian church "cannot be called into action in the missionary cause without the establishment of a Missionary Board by the General Assembly." The history of missionary operations in this and other countries, furnishes ample evidence that the energy and zeal of Christians in the spread of the gospel are much more effectually enlisted, and their liberality greatly increased by more expanded organizations, which overstep the limits of sects, and the bond of whose union is the one great object of spreading the glorious gospel of the blessed God. It is our settled belief, that the societies formed on these principles, and including different denominations of Christians, are actually performing, as the proxies of the church, in the work of missions, that which the church, on account of her divisions, can perform in no other way so well. They appear to us to have embraced the harmonizing principle, which is destined ultimately to re-unite the churches, and make them ONE, as it was in the beginning, and will be in the end.

6. While the majority of the Assembly acknowledge their unabated confidence in the American Board of Commissioners for Foreign Missions, as fully meeting our wishes, and affording a safe and open channel through which all our churches may, as consistent Presbyterians, convey their contributions to the cause of Foreign Missions, we do not regard ourselves as having denied, by the decision protested against, to the minority the privilege of conducting their Missionary operations with entire freedom, on any other plan which they may prefer. But we think it unreasonable for them to ask us to form, and to complain of our not forming, by a vote of the General Assembly, an organization, the principles of which we do not approve. We do not ask of them to assume the responsibilities of the plan which we prefer, and we cannot regard ourselves as chargeable with unkindness or injustice, in having refused to assume the responsibilities of the

plan which they prefer. If we cannot agree to unite in the same organization, for the same purpose, it appears to us manifestly proper, that each party should bear the responsibility of its own chosen plan of operations; and if our brethren cannot so far commend their principles, as to extend their ecclesiastical organizations beyond those "*fragments of the church*," of which they speak, they surely ought not to complain of us, "if those in every part of the church, who wish for a general Presbyterian Board," remain dissatisfied. We would respectfully ask whether they ought not to charge their embarrassment, in this respect, to the plan which they have adopted, rather than to those who have chosen, on their own responsibility, in the fear of God, to conduct their missionary operations on other principles. If, therefore, the minority of the Assembly should hereafter judge themselves under "the necessity of resorting to plans of ecclesiastical organization," which shall "interfere with ecclesiastical harmony," the majority cannot regard themselves as responsible for such results. The settled belief of the majority of the Assembly is, that the operations of the American Board of Commissioners for Foreign Missions, with its numerous auxiliaries, both ecclesiastical and voluntary, within the bounds of the Presbyterian church, present the best arrangement for the promotion of the cause of Missions by our churches; and it was to prevent the ecclesiastical conflicts and divisions which have resulted from the operations of other similar organizations, that they have thought it their duty to decline the organization proposed. They have made their decision for the purpose, and with the hope of securing and promoting the union in the missionary work which has so happily existed in former years. With these views and hopes they commend the cause of Missions, and their solemn and conscientious decision, to the blessings of God, and pray for the peace of Jerusalem."

From the foregoing, it will be seen, that the majority of the General Assembly preferred the A. B. C. F. Missions to an ecclesiastical organization. Contemplating the success of that noble institution, it was not strange. It even commended itself to the respect of the most rigid

friends of ecclesiastical Boards. In January, 1837, the Hon. Walter Lowrie, an Old School man, and the Corresponding Secretary of the West. For. Missionary Society, said: "It has been my privilege, wherever I have been called to speak, to state our feelings toward the Am. B. C. Foreign Missions. For eighteen years I have been familiar with the operations of that Board. And not one of their missionaries has gone to the heathen world, labored or died there, whose progress I have not marked with great interest, and followed with my prayers. I have always cherished great confidence in that Board; I hope God will prosper it abundantly, and enlarge its operations, until, with the aid of other societies, they shall fill the earth with the knowledge of God. We think we can feel thus, and yet prefer another organization." See Journal and Luminary, Feb. 16, 1837.

It will not, however, be forgotten, that in 1836, the Missionary question was the bone of contention—the great exciting subject. Because the majority of the Assembly would not give up their partiality for the Am. B. C. F. Missions, and have the Assembly, and through that body, the church committed to an ecclesiastical organization, there was great complaint. Or because, in this matter, the majority were unwilling to be controlled by the minority, there was universal dissatisfaction among the Old School. The Southern Christian Herald, an Old School paper, said: "One of the best of the present indications is the *sensitiveness* manifested at the Assembly's decision on the Foreign Missionary question, although this decision has no tendency to corrupt the church." Their "*sensitiveness*" on this question was greater than about *doctrines*.

The Editor of the Western Presbyterian Herald of August 11, 1836, said: "Unless we separate amicably, *the dissensions which have arisen over the Home Missionary Society* will continue to increase until they produce a violent disruption." "But this unhappy contrariety of opinion is not confined to the subject of Domestic Missions. Whatever opinions are held on the subject of irresponsible associations, or ecclesiastical supervision and control, they are applicable to the Foreign as well as the Domestic Missionary work."

According to this paper, therefore, the "*dissensions*" over the missionary work were the causes that led to the "*violent disruption*."

In 1836, the Biblical Repertory, an Old School Quarterly, reviewing the action of the Assembly on the Missionary question said: "Thus ended this important decision. We fear the result has inflicted a deeper wound on the prosperity of our church than she has suffered for a long time."

The Missionary question, then, was certainly, according to leading Old School men, the great matter of contest between the parties. And had the majority, in 1836, consented to let the Old School control the church, it is highly probable, that the "*dissensions*," which led to "*a violent disruption*" would have been hushed.

CHAPTER XIII.

MR. BARNES' CASE AGAIN—SECRET CIRCULAR.

The case of Mr. Barnes came up again in the Assembly of 1836. The year before, Dr. Junkin tabled charges against him before his Presbytery. They were as follows, viz.:

1. That sin consists in voluntary action.
2. That Adam (before and after the fall) was ignorant of his moral relations to such a degree, that he did not know the consequences of his sin would or should reach any further than to natural death.
3. That unregenerate men are able to keep the commandments and convert themselves to God.
4. That faith is an act of the mind, and not a principle, and in itself imputed for righteousness."
- He was charged with denying,
5. That God entered into covenant with Adam, constituting him a federal or covenant head and representative of all his natural descendants.
6. That the first sin of Adam is imputed to his posterity.
7. That mankind are guilty, i. e., liable to punishment on account of the sin of Adam.
8. That Christ suffered the proper penalty of the law, as the vicarious substitute of his people, and thus took away legally their pardon.
9. That the righteousness, i. e., the active obedience of Christ to the law is imputed to his people for their justification; so that they are righteous in the eye of the law, and therefore justified."
10. Mr. Barnes also teaches, in opposition to the

standards, that justification is simply pardon." [Barnes' Trial, page 105 and onwards.]

The proofs relied on by Dr. Junkin were all quoted from Barnes' Notes on the Romans, a work every one can see for himself.

The Presbytery decided, that the charges were not sustained. Dr. Junkin appealed from their decision to the Synod of Philadelphia, which met at York, Pa., October, 1835.

The case occupied the attention of Synod about a week. Mr. Barnes was regarded as a leading man among those who were charged with holding a general atonement, &c. It was pretty well understood, that if he went overboard, so would Drs. Beecher, Skinner, Cox, Peters, McAuley, and hosts of others. It was, therefore, a case that excited great interest. Besides, Mr. Barnes was greatly beloved by his friends, and was a minister, whose gentlemanly deportment, whose piety and talents commanded the respect even of the Old School. During the progress of the trial, Dr. John Breckinridge declared: "I must say, that I never saw a more calm, self-possessed or dignified deportment in any individual, than the accused party has exhibited before us this night." Trial, page 74.

On the subject of Mr. Barnes' *Heresy*, it appeared that the Old School were far from being agreed among themselves. The Princeton Reviewer of the Notes on the Romans, in the Biblical Repertory, did not regard Mr. Barnes as materially wrong on *Imputation*, generally considered his greatest heresy. The Reviewer, though hostile to Mr. Barnes, says: "Notwithstanding all the objections urged against this doctrine, and the obloquy which he endeavors to fasten upon it, Mr. Barnes teaches it to its full extent. On page 122 he says: 'Men are indubitably affected by the sin of Adam, e. g., by being born with a corrupt disposition, with loss of righteousness, and subjection to pain and wo.' Here are evils," continues the Reviewer, "indescribably great and dreadful, which are declared to come on all men prior to all agency and concurrence of their own, for a sin committed some thousands of years before their birth, and beyond their con-

trol. Farther than this who would wish to go? Farther the Scriptures, the Reformers, our own Standards, and the great body of old orthodox divines do not go."

Dr. McDowell, a prominent Old School man, said, during the trial: "I can vote with a good conscience, that Mr. Barnes is guilty of holding great and dangerous errors, but not that he holds fundamental errors. I believe that he holds to the doctrine of total depravity as fully and firmly as any man in this house, and that he believes this depravity to be derived from our connection with Adam. I believe that he holds that there is no salvation for a sinner but through Jesus Christ, and that he is saved solely on the ground of the merits of Christ, and that he becomes interested in these merits exclusively by faith. And I believe farther, that he holds to the absolute necessity of the influences of the Holy Spirit to convert and sanctify the soul. I have long known that he differed from me in his mode of explaining some of these points, but I am satisfied that on the great and fundamental doctrines of our religion, he preaches in this way." Trial, page 255.

The majority of the Synod, however, voted against Mr. Barnes, adopting the following resolutions:

"1. That in view of the proof presented to Synod, and of the whole case, the decision of the (Assembly's) Second Presbytery of Philadelphia, in the case of the charges of said George Junkin against the said Albert Barnes be, and the same is hereby reversed, as contrary to truth and righteousness, and the Appeal declared to be sustained.

2. That some of the errors alleged in the charges to be held by the said Albert Barnes, are fundamental; and all of them contrary to the standards of the Presbyterian Church in the United States, and that they do contravene the system of truth therein taught, and set forth in the Word of God.

3. That the said Albert Barnes be, and he hereby is suspended from the exercise of all the functions proper to the gospel ministry, until he shall retract the errors hereby condemned, and give satisfactory evidence of repentance."

Mr. Barnes appealed from this decision, of Synod to

the General Assembly. Thus the case came before the Assembly of 1836. Dr. Junkin, the prosecutor, was heard at length. Mr. Barnes then made his "noble defence." All who wanted to speak, *for or against*, were heard. And when the final question was put, "Sustain or not sustain the appeal of Mr. Barnes?" the vote stood thus: For sustaining the appeal 134—Not sustaining 93.

The following resolution was then offered:

"*Resolved*, That the decision of the Synod of Philadelphia, suspending the Rev. Albert Barnes from all the functions proper to the gospel ministry be, and it is hereby reversed."

When the vote was taken on this resolution, there were "Ayes 145—Noes 77." Thus Mr. Barnes was honorably acquitted and restored to the ministry by this large majority of the General Assembly.

Dr. Miller, though voting for the restoration of Mr. Barnes, offered a resolution, the substance of which was, *that while the Assembly will not condemn the man they will condemn his book*. This was rejected by a vote of 122 to 109.

It is also true, that among those who voted to acquit Mr. Barnes, there was not perfect uniformity of sentiment. Some declared that Mr. Barnes' sentiments were theirs, and that they approved his phraseology. Others said, that if Mr. Barnes was condemned, that they, holding that some of his views were correct, would also be condemned. Dr. Peters said, "When I heard of the sentence of his suspension, I regarded it as a blow struck at one half of the Presbyterian Church. I shall not vote to restore him on the ground of *toleration*; he has a right to be a member in our connexion."

Whether or not Drs. Peters, Skinner, and others concur with Mr. Barnes in all his views, is uncertain. But it is certain that the Assembly did not endorse Mr. Barnes' Book. Such a thing they would not do for any man's system. In their answer to the Protest of Dr. Phillips and others, they say:

"1. That by their decision they do not intend to, and do not, in fact, make themselves responsible for all the phraseology of Mr. Barnes; some of which is not suf-

ciently guarded and is liable to be misunderstood; and which we doubt not Mr. Barnes, with reference to his usefulness, and the peace of the church, will modify so as to prevent, as far as may be, the possibility of misconception.

2. Much less do the Assembly adopt as doctrines, consistent with our standards, and to be tolerated in our church, the errors alleged by the prosecutor, as contained in the Book on the Romans. It was a question of fact, whether the errors alleged are contained in the Book, and by the laws of exposition, in the conscientious exercise of their own rights and duties, the Assembly have come to the conclusion that the Book does not teach the errors charged."

The failure of the Old School, in the Assembly of 1836, in carrying out their measures, was signal. They felt it deeply. They had hoped, by the condemnation of Mr. Barnes, to awe the New School party, and thus bring them into complete subordination, and that they would find little difficulty afterwards in the control of the whole church. They also hoped to have the church committed by ecclesiastical organization, to an Assembly's Board of Foreign Missions, and that then there would not be much difficulty in calling off the patronage of the Presbyterian church from the A. H. M. Society, the Presbyterian Education Society, the American Tract Society, the American Sunday School Union &c., when funds were needed to carry forward the ecclesiastical Boards of the church.

It was evident, before the close of the Assembly, that the Old School did not intend to submit to the General Assembly, if they were denied the control of the church. Accordingly, on the rising of the Assembly, they had a meeting for deliberation. As the meeting was private, the *who'e* of their transactions has never perhaps come before the public. The following statements in reference to that meeting were made soon after: viz.

"1. It was requested that all who did not sympathise with them should retire—a request which was certainly proper, and against which no one could take exceptions.

2. That the subject of a division of the church was

then agitated, but that this was regarded as premature and unwise.

3. That the measure of a new Act and Testimony, and another Convention to be publicly called to meet in Philadelphia, in 1837, just before the meeting of the Assembly, was proposed. To this it was objected, that the trial had been made; that these public measures had roused the other party, and had been the occasion of their own defeat; and that some less public mode of action would, in existing circumstances, best subserve their purposes.

4. That it was then proposed that a Committee should be appointed to correspond *secretly* with their friends, to consult them on the proper measures to be pursued, and to suggest that a Convention should assemble in Philadelphia in 1837, in the week before the meeting of the Assembly." See Journal and Luminary, Oct. 6, 1836.

A committee of ten was appointed to correspond, and to carry out the measures of the meeting. This committee, in due time, sent out what was called the "Secret Circular" to all who were believed to be of their party, and not to the whole church or all her ministers. By September it fell into wrong hands, and found its way into the papers. It may be seen in the Journal and Luminary, Sept. 29, 1836. The Circular complained greatly of the Assembly—its action in the case of Mr. Barnes, the Missionary question, &c. It then closes with a number of enquiries such as—"And now, Dear Brother, in view of the whole subject, we ask you, *what ought to be done?*"

This document was clothed in cautious phraseology. It seemed desirous of information. It was designed to feel the pulse of the party, at the same time inviting crimination, and intelligence in reference to those who belonged to the opposite party. It looked to ulterior measures, the division of the Church. The committee, in their letter, inquire if it is possible, under the circumstances, that the parties can remain together. It was evidently expected that all who were addressed would answer in the negative.

The Secret Circular was sent out in July. The answers

given encouraged the committee to take strong ground. In September they issued a pamphlet of forty pages—"An address to Ministers and Elders and members of the Presbyterian church in the United States." All disguise was thrown off. They declared that the church must be divided. They said: "We are a divided church—as really divided as though we were called by different names and existed under different organizations. The schism has already come."

In this same "Address," speaking of the New School party, which was then a majority, they say, "Whatever else may be dark, this is clear, we cannot continue in the same body. We are not agreed, and it is in vain to attempt to walk together. In some way or other, therefore, *these men* (the New School) *must be separated from us.*" Address, page 40.

The conduct of this committee, as well as some others, has been severely censured by the Constitutional party. Dr. Phillips, the chairman of the committee, and one other member had rather recently come into the Presbyterian Church from the Seceders, or some such rigid sect. Dr. Junkin, the prosecutor of Mr. Barnes, and Mr. Engles, the Editor of the Presbyterian, the organ of the Old School party, were not raised in the Presbyterian church, but came into the church from a foreign body. It was deemed very indecorous for them to complain of "*foreign influence,*" and of the Congregationalists coming into the Presbyterian church. It was considered very officious in them, that they should, among their first acts, endeavor to excite suspicions and whisperings, and really demand that one half of the church should be turned out—"in some way or other separated from us."

Heavy censure also fell on three other members of the committee—Rev. Messrs. Breckinridge, McDowell and McFarland—one a Professor in the Theological Seminary at Princeton, another Secretary and General Agent of the Assembly's Board of Missions, and the third Secretary and General Agent of the Assembly's Board of Education. It was urged that they were salaried officers of the church and not of a party; that the Assembly, when it made or sanctioned the appointments, did it without any

expectation that they would engage in an enterprise to dismember the church. It was stated, that these three gentlemen were sustained from the funds of the *church* at an annual expense of not less than six thousand dollars, and that the appropriation was not made to enable them to revolutionize the body that employed them.

The Old School party, by this time, had assumed a sort of politico religious organization. They advocated and held conventions. They sent out among the churches Addresses, Circulars, Speeches and extra Newspapers in great quantities. They established presses at different points, many of which could not be sustained by the merits of the cause. Individuals have given as high as one hundred dollars at a time, and individual churches hundreds of dollars, to sustain certain papers in this work.

CHAPTER XIV.

POLICY OF THE TWO PARTIES IN REFERENCE TO THE DIVISION OF THE CHURCH.

The parties differed entirely in their policy during the interval between the rising of the Assembly in 1836 and the meeting in 1837. The Old School party were for the division of the church, and the New School against it. This part of the history of the church ought to be preserved. A few statements from documentary evidence will suffice.

In 1834, the Act and Testimony men were only a part of the Old School. It would be unfair to attribute their designs to the whole party, at that period. These men, however, were understood by their own party to be aiming at the dismemberment of the church. The Princeton Professors, in reviewing, in the *Biblical Repertory*, the Act and Testimony, say: "Division, then, is the end to which this enterprise leads, and at which, we doubt not it aims." This, however, was denied, in the *Presbyterian*, by one of the signers. But the Reviewers say: "We have heard other signers of this Act and Testimony, however, very distinctly avow their desire to effect a division of the church."

It was not, however, till 1836, that the Old School party generally could be brought up to divisive measures. The party's committee, in their "Address," came out very boldly. They said: "Whatever else may be dark, this is clear, we cannot continue in the same body. We are not agreed, and it is in vain to attempt to walk together. In some way or other, *these men must be separated from us.*" Page 40.

This was the policy advocated by the Editors of the religious papers, under the control of the Old School.

The Editor of the *Western Presbyterian Herald*, (16th June, 1836,) writing from Pittsburgh, says: "But a little while ago, we would have heard of division almost with horror: now it is the subject of common conversation in almost every circle."

This Editor, week after week, came out manfully in favor of division. He says: "We are of opinion that, in the actual state of the case, formal division is not only inevitable, but is desirable." "We set out to illustrate the necessity, and under the present painful but unavoidable circumstances, the desirableness of the ultimate division of our church by this simple idea, that we constitute already two distinct, widely separated, and nearly equal parties." *W. P. Herald*, July 21, 1836.

"The practical question, *how shall we divide*, is certainly one of great difficulty. We suppose that this is the reason why the division of the Presbyterian Church has not occurred before this time." "This much is clear, that nothing should be done hastily, violently, in bad temper, or without ample conference among all concerned." "We cannot relinquish the hope, that when the subject shall have been fully considered, the necessity of separation will be seen to be so imperious, and its propriety will be so obvious, that the great body of the church will concur in some mode of amicable division." "We trust that none will secede; let us all do what we can to rouse the church." *W. P. Herald*, August 18th, 1836.

In the same number, after hoping that the next Assembly would give to the Old School their desired preponderance, he says: "But if this be not so, perhaps some peaceable mode of separation may be adopted. Let us wait patiently and prayerfully to see. Should not even this be done, but the next Assembly have a decided majority of the New School, ready to pursue the policy and adhere to the principles of the last Assembly, then we may conclude, that the time for separation has, beyond a doubt, arrived, and separate organizations of Synods, or violent disruption of the body, by the orthodox planting themselves upon the constitution, declaring themselves the

church, and excommunicating the errorists, will probably ensue."

In the fall of 1836, the Old School party began to hope, from the action of the Presbyteries and Synods, that, in the next Assembly, they would have a majority. After this, the Editors of their papers said but little about an "*amicable* division." They seemed to anticipate a majority—strength enough to make a division that would suit themselves. The Editor of the *W. P. Herald*, (3d Nov. 1836,) speaking as though division were certain, says: "As to which way the work will go, surely when intruders (meaning the New School) have disturbed our house, and will neither come to order, nor quietly leave us, upon mutual agreement, *we will put them out as soon as we are strong enough*; and the signs of the times are beginning to intimate, that this may be sooner than any of us expected a little while ago."

Again he says: "Should there be such a strength of orthodox men in the next Assembly as to prove the soundness of the great majority of the church, we take it for granted that the body will commence, in good earnest, a system of reform that will soon clear our church of those who have no right to a place in it. Should there be a majority of those who favor error in the next Assembly, and thus the majority appear against the orthodox once more, we see not what hope of reform will remain; and in some form or other the alternative of division must be taken." *W. P. Herald*, December 29, 1836.

It will be seen here "which way the work was to go." The church was to be cleared of those who had "no right to a place in it." Drs. Phillips, Junkin, Engles, &c. only a few years before coming into the Presbyterian church from foreign bodies, Seceders, &c. are to drive out "*intruders*"—scores and hundreds of ministers and people who were born and educated in the Presbyterian church!

It will be seen, when quotations are made from Old School papers, with what complacency they appropriate to themselves the terms—"the orthodox"—"*We, the orthodox.*" But it must be borne in mind, that the other party did not allow them an exclusive right to this modest claim. They contended that, according to the Book of

God, and the Confession of Faith, and the decisions of the Assembly, they too were "*the orthodox.*"

It will also be seen why the Old School are often called "Reformers." They often speak of "Reform," and call their measures "reform acts." They were sensible, however, of the incongruity of the names "*Old School*" and "*Reformers,*" and have not generally relished the latter.

But we return to our extracts. "Its (the Convention's) motto will no doubt be, *Reform if possible—division only as an alternative.* And that division, if necessary, such doubtless as to show that the orthodox are the true Presbyterian party, and those whom they may leave or expel only so in name." W. P. Herald, Feb. 2, 1837.

The same policy was advocated by the Editor of the Southern Christian Herald, an Old School paper. In 1836, he says: "That the controversy is more painful to the orthodox than to their opponents, who exclaim against it so incessantly and so loudly, is proved by the fact, that they (the Old School) are so anxious for a separation, as well to get rid of it, as to testify to the truth, while their most active opponents revile them more for a movement with this view, than they do for a continuance of the controversy itself."

In 1836, after the Convention of 1837 had been determined on, the Presbyterian, the organ of the Old School party, advocated division. A correspondent of that paper, in speaking of the object of the Convention, said: "Let it be distinctly understood, that the precise object for which it is called, is to effect a division of the Church, and to deliberate on the manner of accomplishing this great and noble work."

Not only did the Editors of their papers advocate division, but the same policy was advocated in their Conventions. In 1836, a writer in the Presbyterian, said to be Mr. Musgrave, of Baltimore, a member of the Assembly of that year, and of the secret meeting at the close of the Assembly, said, in reference to that meeting: "The question was anxiously and solemnly discussed, in the meetings of the party—*What is to be done?* Many replied, 'let us immediately separate.' Others said, 'let us call a Convention, for the purpose of more general consultation and united action.' If the first named proposi-

tion had been put to vote, I have good reason for believing, that two thirds would have answered, 'let us separate.'"

In the Old School Convention of 1837, Dr. Junkin, who ought to know, said: "That convention never would have been called, but for the purpose of separating the Pelagians (the Dr's name for the New School) from the sound part of the church."

The Assembly of 1837, after the excision, in their Pastoral Letter, say: "Discerning men have perceived, for a number of years, that the affairs of our beloved church were hastening to a crisis, and when the members of the present Assembly came together, the state of the parties was such, as to make it manifest that a division of the church was the most desirable object that could be effected."

The Old School, or rather the New Basis Assembly of 1838, after the schism had occurred, in their Pastoral Letter, say: "The last General Assembly acted under the conviction, that the only possible way to secure peace was by the separation of the parties in our church." They say certain measures were adopted "to effect this separation." And for themselves they say, "that they rejoice that this separation is thus far effected."

The policy of the New School was very different. During this protracted controversy, the Editors of the Old School papers were in the habit of sneering at the Southern Religious Telegraph, Cincinnati Journal, and other New School papers, because they opposed the division of the church, and urged that the parties should let their moderation be known of all men.

A writer in the W. P. Herald, July 7, 1836, calls the Southern Religious Telegraph "*a professedly neutral paper.*" He says of the Editor: "He has labored assiduously to persuade the churches that they were warring about words."

A writer in the W. P. Herald, July 28, 1836, says: "New School men, from the beginning, declared that there was no material difference between them and the standards of the church and their Old School brethren."

Dr. Wilson, says: "Among those who have shut out the light from the people, by *professed neutrality*, and the *cant of no difference*, I consider the Editors of the Southern

Religious Telegraph and Cincinnati Journal, as most conspicuous." W. P. Herald, July 19, 1837. Dr. Wilson, it will be admitted on all hands, is a good witness. Well, here he represents the opponents of his party as opposed to controversy and division, crying "*neutrality*" and "*no difference.*"

A correspondent of the W. P. Herald, July 26, 1838, represents the whole Anti-reform party as opposed to measures tending to division. He says: "The time has not yet passed the recollection of many, when these two brethren—[Editors of the Journal and Telegraph]—*in common with the New School fraternity*, locked up in the most profound neutrality, were excessively bitter in their opposition to all controversy and strife, recommending to their dissatisfied brethren earnest prayer," &c.

In 1836, some valuable numbers appeared in the Philadelphia Observer, a New School paper, over the signature of "An enemy to Schism," whilst the Philadelphia Presbyterian, an Old School paper, was taking the ground that schism was no sin.

About the beginning of the year 1837, Rev. Mr. White, of South Carolina, a Constitutional Presbyterian, in a series of published letters, remonstrated against all divisive measures. His arguments were such as were generally urged by the Anti-reform party, stigmatized as New School. He said the result would be—Disaffection, heart-burnings and personal ill-will among christians.—Separation of families and churches in their places of worship—Dissolution of the pastoral relation—Destruction of ministerial intercourse and usefulness, &c.

In justice to many of the Old School party, it ought to be stated, that they were opposed to division. Of this number in 1833 was Dr. Miller. In his Letters to Presbyterians, he says: "Our body would be sundered into at least four or five parties. Synods would be divided into several parts. Presbyteries would be rent in pieces. Congregations would be found, in a multitude of cases, to be made up of members of different sentiments, and, of course, be severed into two or three sections, neither of which would be able to sustain the regular ministration of the gospel. Controversies also without end, respecting church property, would probably be engendered; unhallowed pas-

sions would be excited, friends would be separated, families painfully divided, the Saviour would be crucified afresh, and put to an open shame among his professed disciples; and Zion would be bleeding and dishonored in the sight of an unbelieving world:—and all this for what? Only to remain apart for a little while, to make work for bitter repentance.” And again said the Dr.: “My voice is not *for division*, but *for peace and continued union*.”

But the peace party among the leading Reformers was small. And their remonstrances were as unavailing as those of the Anti-reform party, in arresting the torrent of innovation and revolution that was gathering over the church.

Thus stood the two parties in 1836, when the New School were in the majority. Thus they stood during that year, and till the meeting of the Assembly of 1837.

CHAPTER XV.

OLD SCHOOL CONVENTION OF 1837.

This Convention, called by the Committee of the Old School party in the Assembly in 1836, met in Philadelphia about a week before the meeting of the General Assembly. There were more than one hundred members in attendance.

The first measure proposed in the Convention was, some action in reference to "certain judicatories" charged by common fame with heresies and disorders. The Convention went into a sort of ex parte trial of certain bodies. Common fame was the principal witness. The members were invited to retail such reports as had reached them. Various rumors were communicated. And though the parties accused were not represented, and could make no defence, yet they were soon condemned.

The Convention, however, were not agreed as to the plan which they should propose for the Assembly's adoption. Dr. Blythe suggested the plan of citation, with a view to excision. He thought the course pursued by the Synod of Kentucky, in the case of the Cumberland Presbyterians, the proper one. He said: "Thirty-three or four years ago, the Synod of Kentucky knew it to be difficult to try any man for heresy; but they appointed a Commission to visit the parts where the heresy was reported to exist, to inquire and report. The suspected Presbyteries were not allowed to sit in Synod till the affair was settled. The Synod acted, cut off the unsound, and

restored peace to the orthodox. Why may not the next General Assembly do the same thing?" "If this course be taken, you exclude from your judicatories those who are charged with unsoundness until the affair is issued; and you gain two things—first, you put out those who trouble you; and second, you will be prepared to administer wholesome admonition to the suspected. This course will show that you are cautious of the character of your brethren. You will not impeach them till inquiry is made in an orderly manner. But if something of this sort is not done, what will the world say?" See *Western Presbyterian Herald*, June 1, 1837.

Dr. Junkin offered a resolution: "That the orthodox would agree not to go into the Assembly, unless the Synod of the Western Reserve were excluded." "There is common fame enough to cut off the Synod at the outset." *Herald*, June 1, 1837.

Mr. R. J. Breckinridge said: "All that is proposed, refers to what the Assembly ought to do. We must go to the Assembly. We can do nothing here. I am just where I used to be. I am opposed to violent action. Let us do nothing which cannot be fully justified. It is vain to hope that you can exclude the persons against whom these speeches and memorials are aimed. There is no power any where that can do it." *Herald*, June 1, 1837.

Dr. Baxter said: "In our general views we are unanimous, that the purity of the church is endangered, and that something must be done. But we differ as to the mode of relief." "As to some suggestions of Dr. Junkin, I cannot support them. We have no constitutional authority here. We meet merely to consult, in the exercise of a proper right, and to present our views to the General Assembly. But if we take the ground that we are a part of the judicatories of the church, and proceed to excommunicate our brethren, we assume high judicial powers and array public opinion against us." "If high handed and apparently unconstitutional measures are taken, it will greatly injure us. There is great distrust as to the designs of the orthodox: it is supposed that the friends of the constitution propose to alter the constitution. And if

the Convention resolved to set aside Synods, and excommunicate them, it will injure us by confirming these fears." Herald, June 1, 1837.

Mr. Breckinridge said: "The decision on the Foreign Missionary question of the last Assembly was an outrage; but preceding Assemblies had already implied the same decision to refuse a Presbyterian organization. All the great principles that are developed in our system were intrenched on years ago as fully as now." "Let it be recollected too, that to *get apart* from the unsound, is not the only thing to be done. It must not be done on the principles which may destroy ourselves." "I have asked a hundred brethren, 'what is your view of getting apart?' Yet not one has given me a clear, distinct, detailed statement which he was willing to adopt." Herald, June 1, 1837.

Mr. Musgrave said: "I wonder that there is any call for facts. If any man is in darkness, let him read Barnes' Notes and the Christian Spectator, and read the doctrines which are recorded there. Let him also turn to the Voluntary Associations; I call them not benevolent, but party engines." "But we forget the machinery that is at work against us, manufacturing and sending out ministers so rapidly, that if we simply wait, discuss and do not *act*, in twelve months our case will be entirely hopeless. Some of our brethren are already clear that the present state of things is no longer tolerable. They will have a reform or separation." "What then is to be done with such men, who are false and deceivers? We cannot live with them—we can have no peace with them—they are in opposition to our principles and policy and to moral honesty. That we must get apart is clear. Mr. Breckinridge says we must not take a step in the dark. But can we not legislate conditionally, and take the first step that is clear? Is not the course plain? If we have the power, as I hope we shall have—although I am not very sanguine—is it not clear that men who teach doctrines confessedly at variance with our standards must be cut off, and the institutions which divide and ruin us must be destroyed? This is clear. Let us then determine that those bodies which are corrupt shall be arraigned and

tried. My plan would be to cite them, bring them to your bar, get a Committee to present the facts to the next Assembly, and you exclude them from all power till the issue is settled." "But suppose we have not a majority in the next General Assembly. There are two propositions which may be made. 1. We may propose an amicable division. Let us try our brethren who say they love peace and are tired of war, and that it is destructive of revivals—except about two months before the meeting of the General Assembly. Well, we say so too. We are sick and weary of their falseness and their assaults, we want rest. 2. But suppose we cannot divide amicably. Although we cannot see at first what to do, we must look about for light. I come to ask you, and God the Father of lights: let us look to Him in prayer. Let us settle this, that if the New School have the majority in the next Assembly, we are a *dead* minority—not an accidental minority, but we never shall be a majority. If the last Assembly and other Assemblies have not brought up the church to secure a majority, all hope is gone. Your opponents multiply like frogs. They educate, license, and settle men faster than you can do. But if the next Assembly be Old School, what shall we do? If reform be impossible, the imperative alternative is separation." "Let us cling together and strive for victory, or fall in the effort." Herald, June 1, 1837.

It will be seen from the debates in the Convention, that the members aimed at one of two things: *reform* or *separation*. And from the debates it will be seen what was meant by *reform*. It was to secure to the Old School a majority, and effectually to put the New School in the minority. Mr. Musgrave says: "If the last Assembly and other Assemblies have not brought up the church to secure a majority, all hope is gone." The reader of this portion of the history of the church cannot fail to see that a *permanent majority* for the Old School was, with one portion of the Convention, the leading object in this business of "*reform*." "Let us settle this point, that if the New School have the majority in the next Assembly, we are a *dead* minority—not an accidental minority, but *we never shall be a majority*." Whether such measures, on

the part of a minority, to gain the ascendancy, is not a reform that needs to be reformed, is a question to be decided by the impartial reader.

Whilst some would have been satisfied with a permanent majority, others would not have been content with any thing short of a division of the church. Mr. Breckinridge was clear that the church ought "to get apart." Dr. Junkin urged that: "That Convention never would have been called, but for the purpose of separating the Pelagians (the Dr's name for New School) from the sound part of the church."

But this policy was not urged by all. "Dr. Blythe spoke at some length in opposition to measures of separation. He wanted to contend—was opposed to cutting off any Synod, till tried." Herald, June 1, 1837.

Dr. Junkin said: "We ought to have some plan. We must not count on a majority; let us have some settled principles. Do not trust a New School majority to arraign and cut off New School men, and New School Presbyteries. If we have a majority we can do what we please; and we know what we shall do." "We must be prepared for amputation, difficult and painful as it is."

The Convention found it difficult to agree upon a plan for action, provided they should be a minority in the Assembly. Dr. Junkin urged the Convention in such a case, "at once to bring in its ultimatum and say—we are determined as one man, that unless this reform is immediately effected, *we will cut you off*. We are the Presbyterian church; you are not, but are undermining its foundations."

Dr. Blythe's plan savored a little more of modesty. He hoped, "that if the orthodox were in a minority in the Assembly, they would rise in a body, leave the house and go on with the business of the church."

Mr. Breckinridge seemed not to be pleased with any one's plan but his own, if plan he had. He said: "We need not detail plans for the General Assembly; I will not agree to make the Moderator the Dictator of the General Assembly. I will go as far as any one for sound Presbyterian doctrine and order. But not for measures unconsti-

tutional, such as the exclusion of any body regularly commissioned to the General Assembly."

After five or six days had been spent by the Convention in a wide range of discussion, Dr. Wilson from the business committee, "presented a resolution, declaring that in case the Assembly shall not take measures for reform, this Convention will proceed to ulterior and decisive measures."

Dr. Junkin suggested "that the resolution was too undefined. It does not state what measures we shall take, nor when."

Mr. Musgrave said: "We are not yet prepared to say what measures we will adopt. We must wait till we see the action of the General Assembly. If we proceed now to say what that action ought to be, we shall be greatly divided in opinion, and cannot agree in any thing to be determined upon. It will moreover be very injudicious in us to present a request to the Assembly for important reforms, and dictate to them, by threats, what they shall do."

Dr. Junkin thought that "definite, decided action was the thing now to be resolved on. He moved to amend, by appending to the resolution the words, "for separating the Pelagians and anti-Presbyterian party from the Presbyterian church."

"Dr. Wilson objected to the word "*Pelagian*" in the amendment. In all the charges for false doctrine which he had framed, he had never accused any man of Pelagianism. There is a great deal of Semi-Pelagianism and Armenianism in the church; but if there be Pelagianism I do not know it. If the amendment be adopted, I shall insist on determining the *modus operandi* of the separation. This is the last Convention I shall ever attend if I live to fourscore. But I mean to know before I leave this Convention what the Old School are to do."

Mr. Brown said: "I will not consent to menace the General Assembly. It is utterly out of place for us to decide for the Assembly and dictate to them."

Dr. Baxter said: "I am not prepared for revolutionary measures. To attempt such would be usurpation in us. Even if we proclaim division, and the church sustains us,

and a new General Assembly is formed out of the orthodox portion of the church, still the whole affair has a most irregular origin."

In the discussions of the general questions of *Reform* or *Separation*, a multiplicity of subjects was introduced--the heresies and disorders of certain bodies, plans of union. Congregationalism, Hopkinsianism, New Havenism, Abolition, Slavery, Voluntary Societies, &c.

The debate on a resolution to discountenance the Home Missionary and Education Societies showed the feeling of the Convention in reference to other voluntary societies.

Mr. Breckinridge moved to amend by adding "that other voluntary societies, and especially the American Board of Commissioners for Foreign Missions be requested to use greater caution in respect to the interference, by their agents, in the controversies of the Presbyterian church." "I mean this," said Mr. Breckinridge, "as an indictment of the Am. B. C. F. Missions."

Mr. Plumer said: "There has been no evidence furnished to my mind that the bodies here aimed at have done wrong. The improprieties are the improprieties of the agents."

Mr. Smith of Charleston, said: "If the language of the amendment be right, as respects the Am. B. C. F. Missions, it is equally applicable to the agents of the Western Foreign Missionary Society, (Old School,) for the agents of that Board have interfered with us."

Mr. Engles said: "In the station which I occupy, I have had access to a number of facts illustrating the influence of Voluntary Associations on the controversies of the Presbyterian church. All of them, in a greater or less degree, have meddled. Yet I think the introduction of this amendment unhappy; it has consumed time, and excited unpleasant feeling. Notwithstanding the explanations that have been given of this amendment, it implies strong censure. Of all the societies meant to be reached by it, the Am. Board, I believe to be the least obnoxious to such a charge. I could state facts which would show the Sunday School Union and the Tract Society are much more so, if they are to be held responsible for the doings of their agents."

The Convention at last agreed upon a Memorial to the General Assembly. It was presented to the Convention by Mr. Breckinridge, the author of the Act and Testimony, and is much in character with that document, though prepared with more caution. It treats, 1. "In relation to doctrine." 2. "In relation to church order." 3. "In relation to discipline." 4. "Method or Reform."

CHAPTER XVI.

GENERAL ASSEMBLY OF 1837.

The Assembly met after the Convention had been in session about a week, and before its final adjournment. The election of Moderator showed a majority for the Old School party.

The Memorial of the Convention was presented to the Assembly the next day after it met. After some opposition it was received, read, and acted upon, and was made the foundation of the famous Reform Acts of 1837, which resulted in the schism of the church.

The first measure proposed, was the abrogation of the Plan of Union of 1801. The following is their solution:

“As the Plan of Union, adopted for the new settlements in 1801, was originally an unconstitutional act on the part of that Assembly—these important standing rules having never been submitted to the Presbyteries—and as they were totally destitute of authority as proceeding from the General Association of Connecticut, which is invested with no power to legislate in such cases, and especially to enact laws to regulate churches not within her limits; and as much confusion and irregularity have arisen from this unnatural and unconstitutional system of union, therefore, it is resolved, that the Act of the Assembly of 1801, entitled a “Plan of Union,” be, and the same is hereby abrogated.”

This was carried by a vote of 143 to 110, some New School men, as Dr. Cleland, voting for it for the sake of peace.

Against this resolution of the Assembly the minority protested. They urged, that the plan was not *unconsti-*

tutional—that the plan was never submitted to the Presbyteries, because it was not regarded as possessing the nature of “Constitutional *rules*, to be obligatory on all the churches,” but merely an agreement with another body about churches in the new settlements—that the Assembly of 1801 had only exercised the power granted it by the Form of Government [Chap. 1. Sec. 2.] in declaring “the terms of admission into the communion” of the Presbyterian church—that the Plan of Union, now declared to be unconstitutional, was formed TWENTY YEARS *before* the adoption of the present constitution of the church—that this Plan, at the time of the adoption of the present constitution, was in full operation, and of acknowledged authority as common law in the church—that it had been recognised as *constitutional*, by the General Assembly, from year to year, for more than one third of a century—and that the Plan was not “*unnatural*,” but a most natural, wise and benevolent plan for promoting the unity, increase, and purity of the church in the new settlements.

The minority also objected to the *mode* in which the resolution was brought before the Assembly, urging that a majority of the Committee, to whom the Memorial was referred, were members of the Convention that presented the Memorial, and that more than eighty, who voted for the resolution in the Assembly, were members of the Convention in whose name the Memorial was presented.

The next measure was to cite certain judicatories to appear before the Assembly. This was considered a test question, and showed that in an Assembly of two hundred and fifty members, the Old School or Reform party had a lean majority of only six. The following resolution passed by a vote of 128 to 122, viz. :

“*Resolved*, That the proper steps be now taken to cite to the bar of the next Assembly, such inferior judicatories as are charged by common fame with irregularities.”

Against this resolution and two others on the same subject, there was, as above stated, a strong vote. The plan of citation would have been constitutional, yet it was opposed by the minority on the ground that they did not believe that the accused judicatories were guilty. This plan was, however, soon abandoned by the majority, as too

"*tedious and troublesome.*" And, at once, their entire policy was changed.

After this a committee of ten was appointed to effect an amicable division of the church. But this measure failed. The reason will be stated hereafter.

The next measure was to cut off the Synod of the Western Reserve. The resolution was as follows:

"*Resolved*, That by the operation of the abrogation of the Plan of Union of 1801, the Synod of the Western Reserve is, and is hereby declared to be no longer a part of the Presbyterian church in the United States of America."

Against this resolution the commissioners from that Synod protested. They considered this act, by which they were excluded, "*unconstitutional and unjust.*" They asserted that they were regularly commissioned, had been admitted and had exercised the rights of members for two weeks—that their Presbyteries had a regular existence, according to the constitution—that some of them existed prior to the adoption of the constitution in 1821, and participated in that act. They say: "If there was any thing wrong in the original organization of our Presbyteries—which we do not admit or believe—this wrong was chargeable, not upon *us*, but upon the Synod of Pittsburgh, from whose act our original Presbyteries received their existence, which act has been sanctioned by twenty-two General Assemblies, up to the present time." They complained that this new discovery of *unconstitutionality*, which could relate to "*accommodation churches*" only, should drive Presbyteries, ministers, elders and people, regularly introduced according to the most orthodox form, from their rights and privileges without a trial. They urged the disastrous and suicidal bearing of such a policy upon the churches—that under its operation any member, or number of members, who may happen to be obnoxious to the majority, may, under some pretext or other, be driven from the church without citation or trial.

This very policy was indeed carried out in the next great reform measure—the excision of three Synods in the State of New York. The following resolutions were adopted: viz.

“Be it resolved by the General Assembly of the Presbyterian Church in the United States of America,

“1. That in consequence of the abrogation, by this Assembly, of the Plan of Union of 1801, between it and the General Association of Connecticut, as utterly unconstitutional, and therefore null and void from the beginning, the Synods of Utica, Geneva and Genesee, which were formed and attached to this body, under and in execution of said Plan of Union, be, and are hereby declared to be out of the ecclesiastical connexion of the Presbyterian church of the United States of America, and that they are not in form or in fact an integral portion of said church.

2. That the solicitude of the Assembly on the whole subject, and its urgency for the immediate decision of it, are greatly increased by reason of the gross disorders which are ascertained to have prevailed in those Synods, (as well as that of the Western Reserve, against which a declarative resolution, similar to the first of these, has been passed during our present session,) it being made clear to us, that even the Plan of Union itself was never consistently carried into effect by those professing to act under it.

3. That the General Assembly has no intention, by these resolutions, or by that passed in the case of the Synod of the Western Reserve, to effect in any way the ministerial standing of any members of either of said Synods, nor to disturb the pastoral relation in any church; nor to interfere with the duties or relation of private christians in their respective congregations; but only to declare and determine, according to the truth and necessity of the case, and by virtue of the full authority existing in it for that purpose, the relation of all said Synods, and all their constituent parts to this body, and to the Presbyterian church in the United States.

4. That inasmuch as there are reported to be several churches and ministers, if not one or two Presbyteries, now in connexion with one or more of said Synods, which are strictly Presbyterian in doctrine and order, be it, therefore, further resolved, that all such churches and ministers as wish to unite with us, are hereby directed to apply for

admission into those Presbyteries belonging to our connexion which are most convenient to their respective locations ; and that any such Presbytery as aforesaid, being strictly Presbyterian in doctrine and order, and now in connexion with either of said Synods, as may desire to unite with us, are hereby directed to make application, with a full statement of their cases, to the next General Assembly, which will take proper order thereon."

The vote on the first resolution was, Yeas 115—Nays 88. The minority had been made less by the exclusion of the members of the Synod of the Western Reserve. The vote, however, shows that the Synods were excluded by a *minority* of the Assembly as constituted. Out of two hundred and fifty who had voted on the citation question, only 115 voted to cut off the three Synods in New York.

After the above resolution had been offered, Mr. Jessup, one of the minority, moved their postponement with a view of introducing the following substitute, viz. :

"Whereas, it has been alleged, that the Synods of Geneva, Genesee and Utica, of the Presbyterian church in the United States of America, have been guilty of important delinquency and grossly unconstitutional proceedings, and a resolution predicated on this allegation to exclude the said Synods from the said Presbyterian church, has been offered in this Assembly ; and, whereas, no specified act of said Synods has been made the ground of proceeding against those bodies, nor any specific members of those bodies have been designated as the delinquents ; and, whereas, these charges are denied by the commissioners representing those bodies on this floor, and an inquiry into the whole matter is demanded ; and, whereas, a majority of the members of the Synods have had no previous notice of these proceedings, nor of the existence of any charge against them, individually and collectively, nor any opportunity of defending themselves against the charges so brought against them.

Therefore, *Resolved*, That the Synods of Utica, Geneva and Genesee, be, and hereby are cited to appear on the third Thursday of May next, at Philadelphia, before the next General Assembly of the Presbyterian Church in the United States of America, to show what they have done or failed to do, in the case in question, and, if neces-

sary, generally to answer any charges that may or can be alleged against them, to the end that the whole matter may be examined into, deliberated upon, and judged of, according to the Constitution and Discipline of the Presbyterian church in the United States of America."

This course, which would have been constitutional, was rejected by the majority, and the motion to postpone was cut off by the previous question.

Against this excinding act, the Commissioners from the excinded Synods, protested. They deemed the act utterly unconstitutional and unprecedented. They contended that the Book of Discipline gave to the Assembly no power to adopt such a mode of procedure, in the trial and punishment of ministers and members. They complained, that, when the regular and constitutional method of trial was proposed, the majority rejected it, and proceeded, in the face of all constitutional regulations, to cut off four or five hundred ministers in good and regular standing. They asserted that "the majority of the churches within the bounds of said Synods were strictly Presbyterian in their structure, and with few exceptions, even the small number of churches originally Congregational, were not organized under the stipulations of the said Plan of Union, but came in under a different arrangement, and possessed rights on this subject, separate from, and independent of, the Plan of Union of 1801, secured to them by the Assembly of 1808, by which the Synod of Albany was authorized to take the "Middle Association" under its care. They urged, that their Presbyteries and Synods had been constitutionally formed, and, *as such*, had no dependence upon the Plan of Union, or any other plan, and that their ministers had been regularly inducted into the office of the ministry. They complained that the Convention party were permitted to utter vague and injurious reports, and when requested, refused to give names, places or dates—that "although the right was insisted upon, not a single commissioner from any one of the three Synods could obtain the floor to address the Assembly on the resolution, being put down by the motion for the previous question."

The impartial reader of this portion of the history of the controversy will be surprised at the contradictory pe-

sitions often assumed by the Reformers—such as he will find in the short compass of the excinding resolutions above. In the third resolution the Assembly had “no intention, by these resolutions to effect in any way the *ministerial standing* of any members of either of said Synods.” Yet in the second resolution, they had said, that the Assembly’s “urgency” on this subject was “greatly increased by reason of the *gross disorders* which are ascertained to have prevailed in those Synods.”

The Assembly declared that their acts were not intended to interfere with the organization and peace of the Synods, but to show the true condition of those Synods, “to be *out of* the ecclesiastical connexion of the Presbyterian Church.” And yet the last resolution directs Presbyteries, ministers and churches to detach themselves from their Synods, and seek a new connexion with the Reformers, thus attempting to exercise authority over bodies declared to be “*out of*” their connexion—and thus attempting to disturb their order and peace!

The Editor of the Protestant and Herald, March 7, 1839, speaking of the excision, says: “No *censure* was passed either upon the churches or ministers.” But soon he says: “We now leave the candid reader to decide whether the Old School, as watchmen on the walls of Zion, were not bound to take decisive steps to arrest the progress of *dangerous error* in our beloved church.” Here it is stated that the Synods were severed, because the Old School “were bound to take decisive steps to arrest the progress of *dangerous error*,” or in the language of the excinding resolution, because of “*gross disorders*.” And yet we are told, “no *censure* was passed either upon the churches or their members.”

In 1837, after the excision, Dr. Miller, in writing to Mr. Plumer, and in speaking of the excinded ministers, says: “Their ministerial character is left untouched.” Herald, Sept. 21, 1837.

Mr. Plumer must have smiled at this declaration, when he contrasted it with his own famous speech in the Assembly, when these excinding resolutions were discussed. An extract will be given to shew how “*their ministerial character was left untouched*.” He said: “We have been told that there have been extensive revivals of religion in the

regions of the church of which we speak." "It was reported that a great revival was going on in a certain place, and some of these brethren must needs go up and see the great work. It turned out to be a noisy fanatical mob of christians and perfectionists: about 40 professed conversion." Speaking of one of their ministers, he says: "Have you not heard of his *indecentcies*, and his outrages upon *all the proprieties* of social life?" "What are we to think of a Presbytery that will permit, without censure or restraint, such a man to roam among the churches with clean papers, scattering errors, fire-brands and death wherever he goes? And what are we to think of a Synod that will nourish in its bosom a Presbytery so grossly remiss in duty, and so criminally negligent in discipline?" "A gentleman from that region told me he had seen young men and girls walk the streets in broad day, hugging each other and shouting hallelujah! This, Sir, is the natural working of the system. It is unrestrained fanaticism." Herald, Aug. 3, 1837.

The scoffs of infidels against revivals of religion are rarely so coarse. And yet this rudeness of Mr. Plumer met the approbation of the majority. In making this speech he was called to order by the minority. The moderator said he was in order. "An appeal was taken from the chair, but the house sustained the moderator." Herald, Aug. 3, 1837.

Yet, after this speech, and this action of the Assembly, and the excinding resolution, charging the Synods with "*gross disorders*," Dr. Miller writes to Mr. Plumer: "Their ministerial character is left untouched!!"

The next measure of reform was the *imperative act*: viz.:

"This Assembly now render it imperative on Presbyteries to examine all who make application for admission into their bodies, on experimental religion, didactic or polemic theology and church government." This was to operate on ministers passing from one Presbytery to another, and is clearly a violation of the constitution of the church. Chap. 16, Art. 3.

The next reform measure was a resolution in reference to new Presbyteries, which the minority urged was directly

in the face of the constitution. Chap. 22, Art. 1 and 2, and Chap. 12, Art. 2. It is as follows :

“That no commissioner from a new formed Presbytery shall be permitted to take his seat, nor shall such commissioner be reported by the Committee on Commissions, until the Presbytery shall have been duly reported by the Synod, and recognised by the Assembly ; and that the same rule apply where the name of any Presbytery has been changed.”

The next measure of reform, was the dissolution of the Third Presbytery of Philadelphia. The party in power ordered the *territory*, and not the *ministers* of this Presbytery to belong to the old Presbytery. The ministers and churches, now out of the church, were directed to apply for admission once more, as if they never had been in the church. This was protested against as an unconstitutional measure, designed to act as an excision without trial, or at least result in the exclusion of Mr. Barnes and other Constitutional ministers of good standing.

And, lastly, as a measure to complete the reform, the Assembly of 1837, in order to direct and control the organization of the next Assembly, required and received a pledge from the clerks, that they would, in making out a roll for the Assembly of 1838, omit the names of any Commissioners from any of the excinded bodies.

These reform measures were viewed with astonishment by the religious community generally. The Elditor of the Cincinnati Journal, said : “It will be seen by our columns, that the effective party discipline kept up by the convention or caucus at Philadelphia, were producing by our last accounts, their appropriate results.” “All the forms of law, civil and ecclesiastical—all the principles of natural justice have been set at nought.” “We speak not rashly, nor under the influence of party feeling wrought up to passion. The greatness of the enormity would render idle all expressions of reproach.”

The Editor of the New York Observer very modestly charges *extravagance* upon the Convention and the majority of the Assembly. He says : “Without intending any imputation against the honesty of the speakers, we must caution our readers against believing every thing that is

said in the speeches delivered at Philadelphia, either in the Assembly or Convention."

The Editor of the Boston Recorder deemed the proceedings of the Assembly so extraordinary, that he could not find a place for them in his paper. His remarks are these: "We mentioned last week, in an extract from the Presbyterian, the opening of the sessions of that body at Philadelphia, on the 18th ult. We could not in good conscience toward God, nor in loving kindness to our readers, nor in justice to ourselves, give even an *abstract* of all the proceedings of the body. We shall not attempt it."

CHAPTER XVII.

OPERATION OF THE EXCISING ACTS—ARGUMENTS OF THE PARTIES, FOR AND AGAINST THE EXCISION—THE TRUE CHARACTER OF THE EXCISING SYNODS—THE POLICY OF THE REFORMERS.

The acts of the Assembly of 1837, which were peculiarly odious to the minority, were the excising operations, by which five hundred and nine ministers, five hundred and ninety-nine churches and about sixty thousand members were severed from the church, and at once disfranchised without notice or trial.

The advocates of reform justify their course by saying, that the Plan of Union of 1801 was unconstitutional, because it allowed committee-men to act as elders, &c. To this it was replied, that committee-men have not been allowed to sit in the Assembly since 1831—that the Plan of Union had not the nature of constitutional rules—only a contract between two denominations about frontier churches, and, therefore, not unconstitutional; and that thirty-six Assemblies had regarded it as constitutional.

But say the friends of the constitution, admit that the Plan was, after thirty-six years, found to be unconstitutional. Let the Legislature repeal the law. Indeed, when the abrogation of the Plan was voted for, the Reformers intended nothing more than a repeal. A retrospective operation was altogether an afterthought. Dr. Cleland and others voted for the abrogation or repeal, who have steadily opposed the excision, and the retrospective bearing of the repeal.

Under this Plan of Union contracts were made, and monies were given, and rights vested, and without opposition for one third of a century.

In the law suit, it was proved, at length, and from the Minutes of the Assembly, that from 1801 to 1837, the Assembly had extended its jurisdiction over the territory of the excinded Synods.

It was also proved from the Minutes of the Assembly, that year after year, the Assembly acknowledged the receipt of funds for education, missions, theological seminaries, &c., from those Synods. For six years in succession from 1813 to 1818, it was proved, that the Assembly acknowledged the receipt of funds from the excinded region for the Seminary at Princeton. In 1815, one thousand six hundred and sixty-six dollars were received for this purpose. See McElroy's Report, pp. 31 to 36.

Could all the funds collected in that region for education, missions, theological seminaries, &c., be accurately summed up, they would show, that no portion of the whole body have done more for the Presbyterian Church than the excinded region.

The Constitutional party regarded this as a case almost without parallel in civil or ecclesiastical jurisprudence—that the General Assembly should pass an act in 1801, under which, for thirty-six years, contracts were made, rights vested and protection expected, and then the same legislature, after so long a time, declare her own act, not only unconstitutional, but the whole superstructure null and void!

Common sense decides, that when a legislature passes an unconstitutional act, and that act is, at the time, opposed, and the people refuse to acquiesce, as in the Old and New Court question in Kentucky, the whole system ought to fall with the repeal of the law. But where the legislature passes a law, believed at the time to be constitutional, to which there is no opposition, and in which the people acquiesced for a third of a century, and then for the same legislature, by a small majority to decide that the old law is unconstitutional, and nullify every thing built upon it, is, to be sure, a novel procedure in civil jurisprudence!

The case of Georgia and the Yazoo purchase has been

quoted as a case in point. The Legislature of Georgia, at one time, sold to certain individuals a large tract of land in the Yazoo country. Under this law, the purchasers made grants to other individuals. But a subsequent legislature abrogated the law, declaring it to be null and void in all its provisions, thus endeavoring to cut off innocent purchasers from their homes and rights, which had been secured to them by the same legislature. Chief Justice Marshall decided in this case against Georgia, and upon this principle—that her legislature could not make a law, under which rights were vested, and then again repeal her law, and nullify the whole superstructure; in other words, that a party concerned could not invalidate its own contracts; and that what was done by one legislature in this way, a succeeding one could not undo; that if any rights were thus vested, they could not be recalled by absolute power.

In this case, therefore, Judge Marshall decided according to common sense, that an act, though an unconstitutional law, is valid if rights have been invested under it. And in reference to this case, he said:—"The legislature of Georgia was a party to this transaction; and for a party to pronounce its own deed invalid, whatever reason may be assigned for the invalidity, must be considered a mere act of power."

Bringing the same principles to bear in the case of the Assembly of 1837, we see what would be the decision of the Supreme Court of the United States. It would be this: "The Assembly, '*the Supreme Legislature*' of the church, was a party to this transaction; and for a party to pronounce its own deed invalid, whatever reason may be assigned for the invalidity, must be considered a mere act of power."

These views also are sanctioned by statute law, and accord with the usages of all business men. If one man enters into a contract with another, the law will not allow him to nullify his own contract.

But admit the Old School exposition of the constitutional law to be correct, and what would be the result? It would sweep away all security based upon legislative enactment. One legislature may pass a law under which rights and

funds may be vested. But the next legislature may not only repeal the law, but nullify the whole superstructure, declaring it "null and void from the beginning."

About the time 'the Supreme Legislature' of the Presbyterian Church formed the Plan of Union, the Supreme Legislature of the United States purchased from a foreign power that large tract of country called Louisiana, which was added to the territory of the United States, and out of which were made the States of Louisiana, Mississippi and Arkansas. It was said at the time that the purchase was unconstitutional. But it was regarded as advantageous and ratified by Congress. But suppose that in 1839, or thirty-six years after the purchase, the arrangement all the while being acquiesced in, the question had been brought up again. Suppose that in Congress, party excitement ran high, and that there was a struggle for power. Suppose that the administration party were stronger than the Whigs, but feared that the other party would gain the ascendancy, and to prevent it, some Northern Democrat had got up in Congress and said: "The Louisiana country ought never to have been added to the Union. Half the population were Spaniards and French. They had no love for our Republican institutions. That country has been the hot-bed of whigism. They have opposed the administration of the government. And beside all, they came into the Union in an *unconstitutional* manner. The two parties cannot act together. There must be a separation. We ought to sever from the Union these foreigners. We now have the power—we may never have again. I now propose that we cut off States enough to secure forever hereafter a preponderance to our party." Suppose the resolution had been offered, and by the vote of a small majority, the States of Louisiana, Mississippi and Arkansas declared to be not of the Union—no longer an integral part of the United States! What would the civilized world have said of such a manœuvre of a party in Congress to secure power? Whether such a case would have been analogous to the action of the Assembly of 1837, the candid reader must decide.

But admit the correctness of the principle contended for by the Old School, and see the result. Because the Plan

of Union was unconstitutional, the whole is nullified. If the formation of the Synods was unconstitutional, null and void, so was the formation of the Presbyteries. And if the Presbyteries were a nullity, so were their acts—the licensure and ordination of ministers, &c. And thus it will follow, as a result, that the marriage connexions in the region of the Synods are null and void; and the good people there, for thirty-six years, have been living in adultery, and their children illegitimate!

But the Constitutional party have never admitted the unconstitutionality of the Plan of Union, except for sake of argument. Indeed, the Supreme Court of Pennsylvania, Judge Rogers presiding, regarded the Plan of Union as constitutional. So did the Court in Bank, Chief Justice Gibson presiding.

But the advocates of reform have, at times, endeavored to smooth over the excision, by urging, that the Synods were not *cut off*--only disowned, because not members of the Assembly.

To this the other party replied, that they were members, as would appear from the minutes of the Assembly, the Assembly's Digest, the testimony of the whole church up to 1837, and of the entire Old School Convention of 1837—the *citation* resolutions and other reform acts for days after the repeal of the Plan, and the testimony of such Old School men as Dr. Blythe, who still say the Synods were members of the Assembly.

Again: the Reformers have urged, that the churches were not Presbyterian but Congregational churches. This representation was, by them, intended to justify the excision. The truth on this point is not generally known. Admitting, however, that the churches were not strictly Presbyterian, ought they to be cast out and disfranchised for acting upon the faith of a Plan proposed and recommended and sanctioned by the Assembly itself, for more than one third of a century?

But the truth, in reference to these churches, will not warrant this admission. In 1837, Rev. James Wood published a pamphlet on this subject. As he was an Old School man, in the pay of the party, he will not be charged

with favoring the excinded Synods. He says this was the character of the Synods in 1837 :

Synods.	Pres. Churches.	Con. Churches.
Utica,	43	38
Geneva,	109	42
Genesee.	103	53
Western Reserve,	32	113
	<hr/> 287	<hr/> 246

See Wood's Pamphlet, pp. 7. 16. 24. 31.

From Mr. Wood's statements, therefore, it appears that there was a handsome majority of Presbyterian churches—enough without the Congregational churches for four Synods upon the most rigid terms. This has been admitted by the Reformers in reference to all the Synods, except the Western Reserve. About it much has been said, as though it lacked almost every constitutional element.

According to Mr. Wood's pamphlet, page 31, the Synod of Western Reserve had eight Presbyteries and thirty-two Presbyterian churches—an average of four churches to a Presbytery. But as Mr. Wood states, on the authority of the Stated Clerk of Synod, that some of the Presbyteries had only two Presbyterian churches, it was urged that these Presbyteries could have no constitutional existence. This ground was taken by those who urged that the constitution required three churches to constitute a Presbytery. But it makes no such requisition. Chapter 10, Sec. 2, says : " A Prebytery consists of all the ministers and one ruling elder from each congregation within a certain district." Sec. 7, of the same Chapter says : " Any three ministers, and as many elders as may be present, belonging to the Presbytery, being met at the time and place appointed, shall be a quorum to do business." So far as the constitution is concerned, there might be a Presbytery without any church. But if there are churches, their representation is provided for.

It has also been stated, that the Synod of the Western Reserve sent twenty delegates to the General Assembly when she was " not entitled to more than four, or at most eight." [See Reply to Manifesto, p. 15.] So far as the constitution is concerned, this was also a groundless as-

sertion. The representation in the Assembly is not in the ratio of churches, but of ministers. And if, in this Synod, there were more ministers than Presbyterian churches, or if some of the ministers were preaching to Congregational churches, the Plan of Union of their own General Assembly was to blame, and not the ministers. But how it happened to be discovered in 1837, that it was worse for Presbyterian ministers to preach to Congregationalists than to infidels or heathens must be left to the reader to conjecture.

In reference, however, to the true character of the excinded Synods, the Old School estimate was more fully made out by Mr. Hubbell, counsel for the Old School party in the law suit. Speaking, in his opening speech, of the operations of the excision, he said: "The measure would result in the exclusion of but two hundred and sixty-nine churches, or thereabouts, that being the estimated number of Congregational churches in the bounds of these Synods. The residue of the five hundred and ninety-nine churches being Presbyterian." McElroy's Report, p. 167.

This estimate of Mr. Hubbell gives three hundred and thirty truly Presbyterian churches, with thirty or forty thousand members, cut off from the church of their fathers, because of their connection with Congregationalists, according to the plan and recommendation of their own General Assembly.

But the statements of Mr. Wood and Mr. Hubbell are from party men. They are given to make the case as strong for the Reformers as they can make it. The intelligent reader, however, knows that the statements of a party at law, or their council, are not to be fully relied on. So in this controversy. In the law suit, the Rev. Miles P. Squire was examined and cross-examined, upon oath, in reference to the character of the churches. He stated, that he had been an agent for the Home Missionary Society; had travelled in seventeen counties in the excinded region; and speaking of the Synod to which he belonged, (Geneva) he said, "I know of no churches that are strictly Congregational." See McElroy's Report, p. 105.

In this Synod, however, Mr. Wood had forty-two Congregational churches. But Mr. Squire made oath that he

did not know one "*strictly Congregational*" church. This testimony, upon oath, of one who lived upon the ground, belonged to the Synod, and had travelled extensively as an agent among the churches, will show with what caution the assertions of common fame, or interested individuals, should be received.

But the injustice of the excision, it was urged, was still more glaring as regarded the *ministers* who were cut off. They were nearly one fourth of the whole number in the Presbyterian Church. They were all Presbyterian ministers, *recti in ecclesia*. This has never been denied. Mr. Hubbell, in the trial, admitted this. Speaking of the five hundred and nine ministers who were declared out of the church, he said: "None of them were Congregational; the clergy of this district having, almost without exception, caused themselves to be ordained as Presbyterians." McElroy, p. 167.

This excising process of 1837 was the first thing that fully convinced the churches that they would be forced to submit to a division. It was indeed regarded as division itself. Against these measures, the five hundred and nine excised ministers, and their friends, in and out of the Assembly, planted themselves. And of these reform measures, the friends of the constitution have greatly complained, and very justly to be sure.

The Reformers themselves seemed sensible of the enormity of their acts. Up to the excision of 1837 they had reproached the other party for crying "neutrality" and "no difference." But now they believed they had done something that would arouse the "New School," and make them willing to strive. The Editor of the Western Presbyterian Herald, June 21, 1837, in informing his readers of the excising acts, calls upon his brethren to "stand firm amid the storm the New School will try to raise." And in another editorial of the same date, he says: "The New School, as might have been expected, are greatly excited."

That the Reformers anticipated a "storm," and when it came, acknowledged "it might have been expected," shows a consciousness of the enormity of the wrong.

The Assembly of 1837 felt that an apology was necessary, not, it would seem, for forcing separation, but for the

manner, apparently so unjust. Hence, in their Circular Epistle, they plead necessity and say: "To have attempted to separate from us the brethren with whom we could no longer walk in peace, by personal process in each case, would obviously have been impossible, and even if possible, tedious, agitating and troublesome in the highest degree. And though the measures were extraordinary and alarming, yet they hope the churches will bear with them, inasmuch as good may come out of evil!" They say in the same Circular Epistle: "It is our earnest hope, with respect to the brethren thus severed [cut off] from us, that both parties will be essentially benefited by the separation. We trust that both parties will, henceforth, proceed in the conscientious discharge of duty, without being crippled or embarrassed by each other; and that hereafter there will be no strife between us, than who shall love the Redeemer most, and who shall serve him with the warmest zeal."

There was to be sure a discrepancy between their *anticipations* and *hopes*. The New School had opposed strife and division, and tried to live in peace with their brethren. But in 1837, in an Assembly of two hundred and fifty members, the Old School, by accident, had a lean majority of only six. They cut off their brethren by a summary process, deprived them of rights and privileges as Presbyterians, and covered them with reproaches. Then they anticipate a "storm," and that the New School would be "greatly excited," and at the same time hoped "that hereafter there will be no strife" between the parties!

This the New School called *pacification aggressive*.

The excinding acts, however, accomplished what they were designed to effect—the division of the church. That this was their primary design is evident from the speeches and action of the party, notwithstanding much has been said about *order*, and the *unconstitutionality of the Plan of Union*.

When the resolution for the excision of the Synod of the Western Reserve was offered, Dr. Baxter, in making the opening speech in favor of it, said: "As the negotiations for a voluntary separation have failed, the action proposed by this resolution becomes indispensably necessary. It is not dictated by the spirit of unkindness, but is

adopted as the only course which is left to effect a separation." W. P. Herald, 28th June, 1837.

If any one in the Assembly knew what was the design of the excising acts, Dr. Baxter did; for he was the Chairman of the Old School Convention—a Convention which arranged and carried through the Assembly every important measure.

This corresponds with the declaration of the Assembly of 1837, in their Pastoral Letter, in which they speak of the division of the church being *“the most desirable object.”* This is the language: “Discerning men have perceived, for a number of years, that the affairs of our beloved church were hastening to a crisis, and when the members of the Assembly came together, the state of the parties was such, as to make it manifest, that a division of the church was the most desirable object that could be effected.”

This is confirmed by the Reform Assembly of 1838. Speaking of the separation, they say: “The last General Assembly acted under the conviction, that the only possible way to secure peace, was by the separation of the parties in our church.” They expressly say, that their design, in their first reform measures, was *“to effect the separation.”* Again, in the same Letter, they say: “This procedure was indeed novel; it had never been resorted to in our church before, and from its very novelty was calculated to startle minds not accustomed to that mode of action; it was, however, the only remedy for our case.” They felt, as one of their members expressed himself: “We now have the majority—we may never have again.”

The excising process was indeed *“novel”* and *“was calculated to startle.”* It was, however, they tell the world, *“the only remedy to effect this separation.”*

The minority also complained of the great destitution of impartiality in the Assembly of 1837 in their application of the principles of excision. If the existence of churches, it was inquired, on the ‘accommodation plan’ destroys Synods and Presbyteries, which have such churches, why confine this, in its application, to the four Synods? Why not declare null and void all plans of union with the Associate Reformed Church and the Congregationalists? Why not declare the Synods of Philadelphia and New

York out of the church, because the plan of union of 1821 with the Associate Reformed Church had operated there, allowing the existence of Presbyteries upon the principle of elective affinity, and allowing a Presbytery of two Seceders to have as much power in the General Assembly, as our Presbyteries of three members! Why not annihilate also this 'accommodation plan?' And why limit the excision in reference to the 'accommodation plan' with Congregationalists? If the Synod of the Western Reserve ought to be cut off for this reason, so ought the Synod of Western New York, and if these ought to be cut off for this reason, so ought the Synods of Albany, New Jersey, South Carolina and Georgia.

This was explained by the declarations and actions of the Reformers. The Seceders who came into the Presbyterian Church under the Plan of Union of 1821, uniformly sided with the Old School. In reference to those who had come in under the Plan of 1801 it was not so. These facts caused the Old School to betray their partiality. A very zealous advocate of the reform has said: "Of the two parties in the church, the Old School or Orthodox and the New School or Latitudinarian, the Synods sided with the latter uniformly." See Reply to Manifesto, p. 16.

In noticing such an objection to the Synods, the New School have been bold to assert, that the fact of the Synods *siding* with the New School was their offence! It was asked: "Suppose the four Synods had sided with the Old School uniformly, had patronized the Philadelphia Presbyterian, the Louisville Herald, and the Biblical Repository, had sent their young men to Princeton, had given their money to the Assembly's Board, their Sunday School and Tract Society, do you think they ever would have been severed or disowned?" See Answer to the Reply, p. 8.

There is no impartial reader of the history of those events, who can decide, that the Synods would have been cut off, if they could have been brought up to this point of party discipline.

But why cut off only four Synods? Why not cut off all the Synods, Albany, New Jersey, &c., in which the accommodation plan had operated? A careless reader of Old School statements might be led to suppose, that the *consti-*

tution and order of the church only demanded the excision of the four Synods. But some of the bolder men in the Assembly of 1837, by their honest avowals, let us know what was the object. The first stroke at excision only cut off one Synod. Here some of the Reformers, as Dr. Blythe and others, wanted to stop. But it was feared that would leave the New School too strong in the Assembly. The most prominent man in the party declared he would not stop there in the work of reform, but boldly avowed: "*We will cut off a sufficient number to give forever hereafter a majority to one side of the house.*"

By cutting off nearly one fourth of the ministers, they secured to themselves a handsome majority of those who were left. But it has been a matter of wonderment to many, that men, who clamored so loudly for honesty and fair-dealing, did not separate honorably from the New School party, if they were determined to separate. Why resort to such an expedient to make an impression that the Old School were a majority in the church? This did not happen by chance—there was policy in it. The Editor of the Western Presbyterian Herald, July 21, 1836, says: "There are always some ready to join the strongest party, just because it is the strongest party." This class is generally pretty large—a sort of floating capital. And the Reformers knew, that if, by some stroke of policy, they could gain all that class, by making them think they were the stronger party, then they could out-number the friends of the constitution, and boldly set up a claim to the name, rights and funds of the whole body.

In this way, by the excision of 1837, the Reformers gained an advantage over their brethren. By this policy they had made themselves a majority in the Assembly. There was then presented, at once, to the mind of the man who had not been cut off a strong temptation to fall in with the strongest party. In meeting the results of the excision, the Old School ministers generally had nothing to lose, but the New School, every thing. The Old School ministers hoped, by representing the excinded as no Presbyterians, and those who stood by them, as Seceders, to keep their own churches together, and to divide and conquer the churches of New School ministers, unless they would come into measures.

In defence of the measures of the Assembly of 1837, the Reformers have been able to make no substantial plea, except necessity. They discovered that the division of the church was the most desirable object. They professed to believe that there was great heresy and disorder among the New School, and to have attempted to discipline the disorderly, according to the constitution, would have been "tedious and troublesome." They urged, that unless something was done then, it might never be done; that they might never have a majority again; and they thus found it *necessary* to cut off enough of the New School "to give forever hereafter a majority to one side of the house," and make it no longer "tedious and troublesome" to govern the rest as they might choose.

Whatever the Reformers may say about their love of truth and order, and the necessity that was laid upon them, the conviction will fasten upon the public mind, and will go down to posterity, that they went into the Assembly of 1837 with a fearful lust of domination, determined to divide the church, or to adopt measures "to effect this separation." The reader must decide whether or not Dr. Cox expressed himself too strongly when he said:

"They make the schism, and they feed the fire,
Which distant ages scarce shall see expire,
All to protect their party's godless sway,
All to control the funds and have at last their way."

CHAPTER XVIII.

THE CONTROVERSY ABOUT DOCTRINES.

Differences in doctrinal views have, at all times, been tolerated in the Presbyterian church. This every Presbyterian knows. And even the best men among the Old School say it is allowable. Dr. Miller, in his Letters to Presbyterians, says: "Some differences of opinion among those in the same communion *must necessarily be allowed.*"

It has been shown, in a former chapter, that there was not perfect uniformity among those who constituted the Westminster Assembly. Nor has it been attained at any one time, or even expected, except by a very small portion of the church. The differences were not, however, regarded as fundamental; yet since the Hopkinsian controversy especially, the points of difference have assumed importance, as auxiliary to the accomplishment of certain objects—the securing of a majority, the control of the church, &c.

The two parties in the church were mainly divided on these points, viz: The nature of imputation—The nature of man's inability—And the nature and extent of the atonement. The New School denied our personal identity with Adam—that his sin is really and truly our sin, or that there is a literal transfer of moral character. They taught, that the sinner's inability to do what God requires, consists in his want of disposition, or an "inability of will." They taught, that Christ did not suffer as much as the whole human family would have suffered—not suffering eternal punishment, which was the penalty of the law; and yet he tasted death for every man.

On these points, the New School said, that they concurred with the Confession of Faith and the Bible. The Old School said they did not.

In 1831, Mr. Barnes was before the Assembly, charged with heresy. But he was honorably acquitted.

In 1834, the Act and Testimony men raised the alarm about "*the alarming errors*" which had been "countenanced and sustained by the acts of the supreme judicatories of our church." The signers of that document seemed to feel, that they had entered into a solemn league, and indeed they proved true to their vow. No matter what measure came up in Presbytery or Synod or General Assembly, they seemed to be sworn men. This was clearly manifest in the Assembly of 1836, in the trial of Mr. Barnes. Sixty-seven members who had signed the Act and Testimony, voted for his condemnation—not a man who had signed that document voted to sustain him. Every impartial mind will say, that these men had *prejudged* the case, and felt that, by the Act and Testimony, they were pledged *not* to sustain him.

In 1835, the Old School had a majority. That Assembly passed sentence of condemnation on certain doctrines which were never held in the Presbyterian church. It is true, they said the errors were prevalent among the New School. But such statements were made by Old School men, who had their purposes to accomplish. In the Act and Testimony, and similar productions, such sweeping, unguarded assertions were made, as were well calculated to destroy confidence, not only in the documents, but in the veracity of the authors themselves. This opinion was entertained and politely expressed by the Princeton Professors, in reference to the writer of the Act and Testimony, the Rev. R. J. Breckinridge. They say: "In concluding our remarks on this defence of the Act and Testimony, there are a few supplementary remarks which we deem it expedient to make. In the first place, there are many of the assertions of the writer which appear to us *very inaccurate as to matters of fact*; many of his assumptions altogether unauthorized." See *Western Luminary*, March 4, 1835.

If therefore, the Princeton Fathers—decided Old School men—could charge Mr. Breckinridge, the great leader of

the Reform party, with making "assertions" which were "very inaccurate as to matters of fact," well might the public mind be slow in giving credence to all he has said in the Act and Testimony, Old School Conventions and elsewhere.

About this time prosecutions were commenced against two prominent New School men—Dr. Beecher and Mr. Barnes. The avowed design was to bring out the decision of the General Assembly on the contested points. See Dr. Junkin's first letter to Mr. Barnes. Trial, Appendix, p. 4.

The charges related substantially to the same views. The Old School expected a majority in 1836, and that both these men would be before that Assembly for trial. They calculated, that their sentiments would be condemned, and these men, as the representatives of their party would be rejected; and that thus they would drive out the New School, or force them into measures. These prosecutions were indeed regarded by the New School not only as a conspiracy against the happiness and reputation of Dr. Beecher and Mr. Barnes as *individuals*, but as the *representatives*, as the Old School would have it, of the New School party.

The results, however, were according to righteousness. In the case of Dr. Beecher, the prosecution was withdrawn by Dr. Wilson, the Prosecutor, because of the hopelessness of success. He had before been acquitted by his Presbytery and Synod, and to use Dr. Wilson's own words, of even "the suspicion of unsoundness in the faith."

Mr. Barnes was acquitted by his own Presbytery; condemned by the Synod; but after a full and patient hearing, was triumphantly acquitted by the General Assembly.

According to Presbyterianism, this ought to have been an end of the matter. This was the result to which the prosecutors wished to arrive—in the language of Dr. Junkin, "their final adjustment by the proper judicatories of the church." And when this result was arrived at, Presbyterianism, ordination vows, and religion demanded of the Old School acquiescence. Or, if they felt that they could not conscientiously do this, it was their duty peaceably to withdraw from the church. But neither was done. The party went into a secret meeting; a com-

mittee was appointed. That committee sent out the Secret Circular, and afterwards an Address, urging that these men, the majority, "must be separated from us."

In 1837, in the Old School Convention, the more cautious harped much upon *doctrines*, as if they cared not about majority or power. But a man might have an object in view, and from his declarations at the time, you might not see it. A Presbyterian elder once was tried by his session for cheating his neighbor in a horse-swap, his horse being diseased. The injured party urged, that the elder had assured him, that his horse was sound. The elder here manifested less caution than in making the trade, for he immediately contradicted the statement, adding "I was very guarded in my expressions."

Mr. R. J. Breckinridge was both cautious and bold. In the Convention he was at times "very guarded" in his expressions. He would then declare: "This is a great controversy in which we are engrossed about *doctrine* and *order*." But in the negotiations of the committee of ten he was less guarded. And in this unguarded moment, he seemed to forget *doctrine* and *order* and to be thinking of *power* and *predominance*. In that committee he declared that: "If the New School did not accept the propositions of the Old School, he would the next day, in the General Assembly, move to excind a sufficient number of Synods from the General Assembly, to secure thereafter, in that body, the preponderance of the Old School." McElroy, p. 93.

A similar declaration he made, in an unguarded moment, on the floor of the General Assembly.

The statements of Mr. Breckinridge are quoted, and regarded as important, because he was a master-spirit in those transactions—a gentleman whose commanding powers were not sufficiently chastened by age and experience, and whose ecclesiastical course would suggest, that he had been an admirer of the saying of Euripides: "Nam si violandum est jus, regnandi gratia violandum est; alius rebus pietatem colas."

In the Memorial of the Convention of 1837, presented to the Assembly, "*doctrinal errors*" occupied a conspicuous place. Sixteen errors were specified which the Old

School said were "widely disseminated in the Presbyterian church."

This part of the Memorial was adopted by the Assembly.

A New School member offered as an amendment the condemnation of the four following errors, viz :

" 1. That man has no ability of any kind to obey God's commands or do his duty : 2. That ability is not necessary to constitute obligation : 3. That God may justly command what man has no ability to perform, and justly condemn him for the non-performance : 4. That all the powers of man to perform the duty required of him have been destroyed by the fall."

This amendment struck at some of the errors of the Old School, and of course, was not adopted.

It will from this be seen, that the New School thought the Old School in error. This doctrine inculcated among the Old School, that *ability is not necessary to constitute obligation*, in connection with another of similar stamp, that *for a large portion of the human race no salvation has been provided*, has been considered highly Antinomian. The New School, as a body, steadily opposed such sentiments, and thought their opposition was based upon the word of God, as well as the Confession of Faith. And though they differed with their Old School brethren on such points, yet they urged, that such differences had always been tolerated in the church, and were not disposed to excind their erring brethren.

That the doctrines of the Old School are tending to Antinomianism, is acknowledged by persons in their own connection. A gentleman in the South, in connection with the Old School, notices the "Causes of religious declension at the South." Among the causes he alludes to *doctrines*. He says : "A persuasion that the mode of preaching at the North savors of Pelagianism and fanaticism, has driven many at the South to verge toward an opposite extreme. While the exaltation of human means has been regarded as a capital part of the heresies of the North, some preachers at the South have carried their notions of dependence so far as, to a common mind, seems to enter closely upon the borders of fatalism. *This tenden-*

cy to Antinomianism has, within a short space, considerably increased. Many of their preachers are believers and advocates for the doctrine of particular redemption, the obvious inference from which is, that *for a large portion of the human race no salvation has been provided.*" See Christian Observer, July 16, 1841.

This writer says, "many of the preachers" hold these sentiments. In justice to many others, it ought to be stated that all their preachers do not believe or teach these doctrines. And in reference to the *members* of the Old School party, it may be safely asserted, that the majority of them concur with the Constitutional party in rejecting these Antinomian tenets.

On the subject of doctrinal differences between the two parties, the New School challenged investigation in the General Assembly. But it was cut off by the call for the previous question, so "as to prevent all discussion." See Protest of the Minority.

The New School portion of the Assembly being denied investigation, and not holding the errors charged upon them, nor concurring with the Old School in their views of imputation, man's inability, the extent of the atonement, &c. protested against the action of the Assembly. and in their protest, they placed the "*true doctrines,*" as held by them, in contrast with the errors charged upon them by the Old School. This part of the protest, in justice to both parties, ought to be given. It is as follows :

FIRST ERROR.

"That God would have prevented the existence of sin in our world, but was not able, without destroying the moral agency of man; or for ought that appears in the bible to the contrary, sin is incidental to any wise moral system."

SECOND ERROR.

"That election to eternal life is founded on a foresight of faith and obedience."

TRUE DOCTRINE.

God permitted the introduction of sin, not because he was unable to prevent it, consistently with the moral freedom of his creatures, but for wise and benevolent reasons, which he has not revealed.

TRUE DOCTRINE.

Election to eternal life is not founded on a foresight of faith and obedience, but is a sovereign act of God's mercy, whereby, according to the counsel of his own will, he has chosen some to salvation; "yet so as thereby neither is violence offered to the will of the

creature, nor is the liberty or contingency of second causes taken away, but rather established," nor does this gracious purpose ever take effect independently of faith and a holy life.

THIRD ERROR.

"That we have no more to do with the first sin of Adam, than with the sins of any other parent."

FOURTH ERROR.

"That infants come into the world as free from moral defilement, as was Adam, when he was created."

FIFTH ERROR.

"That infants sustain the same relation to the moral government of God, in this world, as brute animals, and that their sufferings and death are to be accounted for on the same principles as those of brutes, and not by any means to be considered as penal."

SIXTH ERROR.

"That there is no other original sin than the fact that all the posterity of Adam, though by nature innocent, will always begin to sin, when they begin to exercise moral agency; that original sin does not include a sinful bias of the human mind, and a just exposure to penal sufferings, and that there is no evidence in Scripture, that infants, in order to salvation, do need redemption by the blood of Christ, and regeneration by the Holy Ghost."

SEVENTH ERROR.

"That the doctrine of imputation, whether of the guilt of Adam's sin or of the righteousness of Christ, has no foundation in the word of God, is both unjust and absurd."

TRUE DOCTRINE.

By a divine constitution, Adam was so the head and representative of the race, that, as a consequence of his transgression, all mankind became morally corrupt and liable to death temporal and eternal.

TRUE DOCTRINE.

Adam was created in the image of God, endowed with knowledge, righteousness, and true holiness. Infants come into the world not only destitute of these, but with a nature inclined to evil and only evil.

TRUE DOCTRINE.

Brute animals sustain no such relation to the moral government of God, as does the human family. Infants are a part of the human family; and their sufferings and death are to be accounted for on the ground of their being involved in the general moral ruin of the race, induced by the apostasy.

TRUE DOCTRINE.

Original sin is a natural bias to evil, resulting from the first apostasy, leading invariably and certainly to actual transgression. And all infants, as well as adults, in order to be saved, need redemption by the blood of Christ, and regeneration by the Holy Ghost.

TRUE DOCTRINE.

The sin of Adam is not imputed to his posterity in the sense of a literal transfer of personal qualities, acts and demerits; but by reason of the sin of Adam, in his peculiar relation, the race are treated, as if

they had sinned. Nor is the righteousness of Christ imputed to his people, in the sense of a literal transfer of personal qualities, acts, or merits; but by reason of his righteousness, in his peculiar relation, they are treated as if they were righteous.

EIGHTH ERROR.

"That the sufferings and death of Christ were not truly vicarious and penal, but symbolical, governmental, and instructive only.

TRUE DOCTRINE.

The sufferings and death of Christ were not symbolical, governmental, and instructive only, but were truly vicarious, i. e. a substitute for the punishment due to transgressors. And, while Christ did not suffer the literal penalty of the law, involving remorse of conscience, and the pains of hell, he did offer a sacrifice, which infinite wisdom saw to be a full equivalent. And by virtue of this atonement, overtures of mercy are sincerely made to the race, and salvation secured to all who believe.

NINTH ERROR.

"That the impenitent sinner is by nature, and independently of the renewing influence, or almighty energy of the Holy Spirit, in full possession of all the ability necessary to a full compliance with all the commands of God."

TRUE DOCTRINE

While sinners have all the faculties necessary to a perfect moral agency, and a just accountability, such is their love of sin and opposition to God and his law, that, independently of the renewing influence of almighty energy of the Holy Spirit, they never will comply with the commands of God.

TENTH ERROR.

"That Christ does not intercede for the elect until after their regeneration."

TRUE DOCTRINE.

The intercession of Christ for the elect is previous as well as subsequent to their regeneration, as appears from the following Scripture, viz.: "I pray not for the world, but for them that thou hast given me, for they are thine: neither pray I for these alone but for them also, which shall believe on me through thy word."

ELEVENTH ERROR.

"That saving faith is not an effect of the operation of the Holy Spirit, but a mere rational belief of the truth, or assent to the word of God."

TRUE DOCTRINE.

Saving faith is an intelligent and cordial assent to the testimony of God concerning his Son, implying reliance on Christ alone for pardon and eternal life; and in all cases

it is an effect of the special operations of the Holy Spirit.

TWELFTH ERROR.

"That regeneration is the act of the sinner himself, and that it consists in the change of his governing purpose which he himself must produce, and which is the result, not of any direct influence of the Holy Spirit on the heart, but chiefly of a persuasive exhibition of the truth, analagous to the influence, which one man exerts over the mind of another; or that regeneration is not an instantaneous act, but a progressive work."

THIRTEENTH ERROR.

"That God has done all that he can do for the salvation of all men, and that man himself must do the rest."

FOURTEENTH ERROR.

"That God cannot exert such influence on the minds of men, as shall make it certain, that they will choose and act in a particular manner, without impairing their moral agency."

FIFTEENTH ERROR.

"That the righteousness of Christ is not the sole ground of the sinner's acceptance with God; and that in no sense does the righteousness of Christ become ours."

SIXTEENTH ERROR.

"That the reason why some dif-

TRUE DOCTRINE.

Regeneration is a radical change of the heart, produced by the special operations of the Holy Spirit, "determining the sinner to that which is good," and is in all cases instantaneous.

TRUE DOCTRINE.

While repentance for sin and faith in Christ are indispensable to salvation, all who are saved are indebted from the first to the last to the grace and spirit of God. And the reason that God does not save all, is not that he wants the power to do it, but that in his wisdom he does not see fit to exert that power further than he actually does.

TRUE DOCTRINE.

While the liberty of the will is not impaired, nor the established connexion between means and end broken by any action of God on the mind, he can influence it according to his pleasure, and does effectually determine it to good in all cases of true conversion.

TRUE DOCTRINE.

All believers are justified, not on the ground of personal merit, but solely on the ground of the obedience and death, or, in other words, the righteousness of Christ. And while that righteousness does not become, theirs, in the sense of a literal transfer of personal qualities and merit; yet from respect to it, God can, and does treat them as if they were righteous.

TRUE DOCTRINE.

While all such as reject the Gos-

fer from others in regard to their reception of the Gospel, is that they make themselves to differ "

pel of Christ, do it, not by coercion but freely—and all who embrace it, do it not by coercion but freely—the reason why some differ from others is, God has made them to differ."

In the above it will be seen, that what is headed "error," is what the Old School charge upon the New School; what is headed "true doctrine," is what the New School really hold on that point.

Here then was a denial, by the representatives of the New School portion of the church, of the errors charged upon them, and an avowal of their "real sentiments." With them, it might have been expected the great mass of the Presbyterian church would have been satisfied. But strange as it may appear, the Old School portion of the Assembly pretended to see great heresy in the "True Doctrines" of the New School. They even enjoined it upon their Presbyteries to try the signers of the "True Doctrines" for heresy, as will appear from the following resolution of the Assembly, viz :

"*Resolved*, That duly certified copies of this paper be sent to the respective Presbyteries to which the signers of the protest belong, calling their attention to the developments of theological views contained in it, enjoining on them to enquire into the soundness of the faith of those who have ventured to make so strange avowals as some of these are."

In the controversy about doctrine, the Old School resorted to much *unfairness*, to make an impression unfavorable to Constitutional Presbyterians. They imputed to the New School all the sins and errors of New Haven and Oberlin—Dr. Taylor and Mr. Finney—as if these institutions or ministers had any connection with the Presbyterian Church.

The Old School have also exhibited much *inconsistency*. One instance will suffice. The Editor of the Charleston Observer is an Old School man. But before the division of the Assembly in 1838, he was willing to do the New School justice. Before the division he had no party to serve, whether right or wrong. He then could say of Charleston Union Presbytery, the large majority of which

was called New School: "There is *no discrepancy* in this Presbytery *on questions of doctrine.*" But since the division, he calls the ministers of Charleston Union Presbytery, "*the Pelagians* of Charleston."

The same Editor, before the division, did not consider Dr. Beman, Mr. Barnes and other prominent New School men heretical. After quoting largely from their writings, he says positively: "If there be heresy in them, we are not sufficiently sagacious to discern it." But now the church is divided, and the interests of the other party demand that the New School be loaded and sunk with reproaches. And now this Editor can refer to the same writings to prove that the New School are "Pelagians," and teach "another Gospel." Upon what principles the Editors of Old School papers would justify such unfairness and inconsistency, is not for us to say.

In this controversy, the Old School have charged upon the New School opinions which they have uniformly denied. To this the Old School have said: "If the body of the New School are not in error, some of their prominent men are." They then point to Mr. Barnes. But Mr. Barnes was acquitted before the division of the church; and if the New School are chargeable with heresy for voting, in 1836, for the restoration of Mr. Barnes, so are some of the most prominent Old School men, as Dr. Miller and others.

In this controversy, the New School always professed their readiness for investigation or trial. And while one party charged the other with holding sentiments tending to Arminianism and Pelagianism, they in turn were believed to hold sentiments tending to Antinomianism. When the errors, such as are contained in the sixteen specifications were stated, the New School party said—*prove* them upon any one and we will help you in turning him out. But the proof was lacking.

Indeed, it was found almost impossible to bring the Old School up to the real points of difference. In the Assembly of 1837, when the subject of "Doctrinal Errors" came up, all investigation was cut off by the call for the previous question. Yet the New School, in their protest, were enabled indirectly to bring the Old School to them. And if any one should be curious on the subject of the

real differences between the Schools, he may form a pretty correct opinion from the "True Doctrines" of the New School, and the action of the Old School in reference to them. The New School, in the Assembly, said, these are our "real sentiments." And in the Auburn Convention, they said: "This Convention cordially disapprove and condemn the list of errors condemned by the late Assembly, and adopt, as the expression of their own sentiments, and as they believe the prevalent sentiments of the churches in these Synods on the points in question, the list of 'true doctrines' adopted by the minority of said Assembly in their protest on this subject." See New York Observer, October 7, 1837.

The Old School, however, regarded the "True Doctrines" as heresy, and enjoined it upon their Presbyteries to try the signers. On these points, therefore, the parties were fairly at issue. Thus the real points of difference were reached at last, so far as the New School were concerned. And had the Old School come out and avowed their real sentiments—limited atonement, &c. their Presbyteries would have had an opportunity of deciding which party was the most orthodox.

Here the controversy about doctrine mainly ceased. Not a single Presbytery obeyed the injunction of the Old School, in trying the signers of the "True Doctrines" for heresy. This resolution savored so much of infatuation, that the Old School soon became ashamed of it; and no Assembly since seems to have inquired whether its injunction has been complied with or not.

Notwithstanding all that has been said, the impression has sometimes been made, that Constitutional Presbyterians have rejected the Confession of Faith. In reply to this, it is necessary only to quote one or two official declarations of the Constitutional Assembly. During their session in 1838, the following resolution was adopted *unanimously* :

"That it be, and hereby is recommended to all the Presbyteries to take special pains to have the book containing the Confession of Faith and Form of Government of the Presbyterian Church of the United States of America more generally circulated among the churches under their care."

The same Assembly, in their Pastoral Letter, say: "We love and honor the Confession of Faith of the Presbyterian Church, as containing more well defined, fundamental truth, with less defect, than appertains to any other human formula of doctrine, and as calculated to hold in intelligent concord a greater number of sanctified minds, than any which could now be formed, and we disclaim all design, past, present and future, to change it."

Whether or not all the noise the Old School made about *doctrine*, was for the sake of doctrine, or to alarm the churches for the attainment of *other objects*, must be left to the impartial and to posterity to decide.

CHAPTER XIX.

THE AUBURN CONVENTION.

After the close of the Assembly of 1837, it was soon ascertained, that the excinded Synods and other large portions of the church, regarded the measures of that Assembly as *revolutionary and unconstitutional, and designed to divide the church*; or in the language of the Reform Assembly of 1838, "*to affect this separation.*"

The church was, by these reforming and revolutionary measures, thrown into a deep state of alarm and confusion. The friends of Constitutional liberty were bewildered. As was to be expected, they could not entirely agree among themselves, as to what ought to be done in the unexpected and fearful crisis. They saw that the Reformers, taking advantage of an accidental majority, had laid their plans to disfranchise the party which had hitherto been the majority. Some, seeing that the Reformers had taken advantage of them in the mere assumption of power, were for hanging on to the party, hoping they would see their error. Some were for standing aloof from the contending parties. Some were for planting themselves upon the constitution, and meeting the crisis with firmness. The great portion were of the latter class.

The first movement towards concert of action was the Convention which met at Auburn, in the State of New York, on the 17th of August, 1837. There were in attendance nearly two hundred ministers and elders. The reform measures were fully discussed. In reference to the excision, the following resolution was passed, viz :

"*Resolved*, That in the judgment of this Convention, the acts of the last General Assembly, declaring the Synods of Western Reserve, Utica, Geneva, and Genessee, not to be constitutional parts of the Presbyterian Church,

on the ground that their connexion was dependent on the Plan of Union of 1801, and upon charges vague and unsupported, were unconstitutional, and therefore in the opinion of this Convention, null and void."

In support of the foregoing resolution many reasons were assigned,

A few extracts will exhibit the attitude of that body. They say: "The act complained of has, without hearing and without trial, without *charges even*, deprived a vast number of Presbyterian members of all connexion with that church, and declares them "neither in form nor in fact" members thereof.

"The constitution has made ample provisions for the redress of all grievances which it was supposed would arise in the church; and especially for the correction of any error in doctrine or irregularity in practice, whether existing in the individual members or in the bodies organized under the constitution. The mode of doing this is fully and clearly defined in that instrument. An attempt, then, to correct and alleged error or irregularity in any other mode than that pointed out by the constitution or compact into which all had entered, is *usurpation*; if it produce oppression, it is *tyranny*; in its character, and tendency it is and must inevitably be subversive of all good and righteous government and order; and may properly be classed with those acts of lawless violence recently so disgracefully frequent in our country, and whose justification is attempted alone upon the plea of "the necessity of the case," or the still more unrighteous plea that "*the end justifies the means.*"

"In a government of laws, *no necessity* can ever exist for trampling those laws in the dust, and disregarding their requirements. If such acts be done, they are either rebellion or revolution or both." See New York Observer, October 7, 1837.

There is one point made clear by the Auburn Convention, which goes to show, that in reference to the three Synods in New York, the General Assembly based their excision upon falsely assumed facts. The excising resolution assumes, that these Synods "*were formed and attached*" to the Assembly "*under and in execution of*" the Plan of Union of 1801. The Convention, in denying this,

say: "The whole of the territory, embracing the three Synods of New York, came into connexion with the Presbyterian Church, so far as they were Congregationalists, *not under the Plan of Union of 1801*, but under a plan of union and correspondence made in 1807 between the Synod of Albany on the one part, and the Northern Associated Presbytery and the Middle Association on the other, which plan was subsequently submitted to the General Assembly; and by them considered, sanctioned and adopted in 1808, and has never been objected to or abrogated."

The documents on this subject are too lengthy for insertion here. Let the reader, if he would be more fully satisfied, turn to the New York Observer, September 2, and October 7, 1837.

The plan was regarded as a special compact between the Synod of Albany and the Middle Association. By it the Middle Association became a constituent part of the Synod of Albany, and the ministers and delegates of churches belonging to the Association were admitted into the Synod with all the rights and privileges of ministers and elders of their Presbyteries. In speaking, therefore, of the churches within the bounds of the three Synods, they say: "Their connexion with the General Assembly has no reference to the Plan of Union of 1801; and hence the abrogation of that plan could not, in the slightest degree, effect the standing of these churches, or destroy their relation to the General Assembly."

The Assembly might, with as much propriety, have abrogated the Adopting Act of 1729, and then declared, that in consequence of that abrogation, the three Synods are "out of the ecclesiastical connexion of the Presbyterian church." Or admitting the plan of 1801 to be unconstitutional, they might as well have declared, that the Synod of Philadelphia is "out of the Presbyterian Church."

Therefore, the history of these events show, that these three Synods were cut off for a reason that had no existence in fact. But the advocates of excision, when reminded of this, urged that, though the plan of 1808 was not abrogated, yet it was of the same character. In their answer to the protest of the excinded they say: "The compact of the Assembly of 1808, with the Synod of Al-

many, in reference to the Middle Association, is as unconstitutional as the Plan of Union of 1801." But admitting it was as unconstitutional, it was not abrogated, and the three Synods were cut off, because another plan was abrogated, with which they had no more connexion than with the plan of union of 1691.

After the close of the Auburn Convention, it was understood that the Constitutional party designed to act with the Reformers in the Assembly of 1838, provided the organization of a General Assembly could be effected by admitting the Commissioners from the excinded Synods.

The position of the parties was such, however, that very little hope could be indulged that they could longer act together. The Reformers seemed to rejoice that division had commenced and would be carried out. Still the friends of the constitution hoped, that if the two parties could not act together, some amicable mode of division could be devised which would prevent the alienation and bitterness of a violent dismemberment of the body. In this condition things remained till the meeting of the Assembly of 1838.

CHAPTER XX.

THE ASSEMBLY OF 1838--THE DIVISION OF THE CHURCH
--THE TUMULT IN THE ORGANIZATION OF THE AS-
SEMBLY.

A few days before the meeting of the Assembly, in 1838, both parties met in Convention in Philadelphia. The Constitutional Convention was open to all the Commissioners to the General Assembly, and was attended by a few of the other party. The invitation was to all, as appears from the notice, which was given in the newspapers, signed by some of the reformed party. See McElroy's Report, p. 91.

The other Convention was a *party* organization. "The distinct basis on which the meeting was organized was, that its members were prepared to sustain the general course of the last Assembly in the reform of the church." "It was unanimously resolved, that in the opinion of the meeting, the reform measures of the last Assembly should be fully sustained." See W. P. Herald, May 31, 1838.

While the two parties were in Convention, the Constitutional party sent the following overture for pacification to the other party:

"*Resolved*, That while we regard with deep sorrow the existing difficulties in our beloved church, we would fondly hope that there are no insurmountable obstacles in the way of averting the calamities of a violent dismemberment, and of securing such an organization as may avoid collisions, and secure the blessings of a perpetuated, harmonious action.

"*Resolved*, That we are ready to co-operate in any efforts which are constitutional, and which shall recognize the regular standing, and secure the rights of the entire

church, including those portions which the acts of the last General Assembly were intended to exclude."

In the reply to the foregoing we find the following:

"Whereas, the resolutions of the "meeting," while they profess a readiness 'to co-operate, in any efforts for pacification which are constitutional,' manifestly proceed on the erroneous supposition, that the acts of the General Assembly declaring the four Synods of the Western Reserve, Utica, Geneva and Genessee, out of the ecclesiastical connexion of our church, were unconstitutional and invalid; and the Convention cannot for a moment consent to consider them in that light, therefore,

"Resolved, unanimously, that the Convention regard the said overture of the 'meeting,' however intended, as founded on a basis which is wholly inadmissible, and as calculated only to disturb that peace of our church, which a calm and firm adherence to those constitutional, just, and necessary acts of the last General Assembly can alone, by the blessing of Divine Providence, establish and secure." See W. P. Herald, May 31, 1838.

The Constitutional party declared their anxiety for pacification, if any plan could be devised, which would be "constitutional," and which would "secure the rights" of the excinded.

The Reformers affected to take umbrage at the word, "constitutional," as if the overture had pronounced their acts unconstitutional. But any one can see, that the word, "constitutional," was used in reference to the desired plan of pacification. This excuse was, therefore, mere subterfuge. Indeed, it seems they had no idea of "pacification," except on the principles of *passive-obedience* and *non-resistance*; for they had already "unanimously resolved, that in the opinion of the meeting, *the reform measures of the last Assembly should be fully sustained.*"

Thus the parties stood in reference to each other, when the General Assembly met in Philadelphia, on the 17th of May, 1838. Common fame had excited much curiosity as to the scenes which were to be acted when the body met. The Assembly was large and a great concourse of spectators were present.

The Assembly met in the Seventh Presbyterian church. At an early hour, the Reformers were found in a body,

near the pulpit, and the two doors near the Moderator's chair locked. The Constitutional party generally took their seats farther back in the church.

Dr. Elliot, the Moderator of the previous year, preached the sermon. At the close, he announced, that the General Assembly would be constituted with prayer. After prayer, and before the Clerk had made his report on the roll, Dr. Patton offered the following preamble and resolutions :

Whereas, the General Assembly of 1837, adopted certain resolutions intended to deprive certain Presbyteries of the right to be represented in the General Assembly : and whereas, the more fully to accomplish their purpose, the said Assembly of 1837 did require and receive from their Clerks a pledge or promise, that they would, in making out the roll of Commissioners to constitute the General Assembly of 1838, omit to introduce therein the names of Commissioners from said Presbyteries : and whereas, the said Clerks, having been requested by Commissioners from the said Presbyteries to receive their commissions and enter their names on the roll of the General Assembly of 1838, now about to be organized, have refused to receive and enter the same, Therefore,

1. *Resolved*, That such attempts on the part of the General Assembly of 1837, and their Clerks, to direct and control the organization of the General Assembly of 1838, are unconstitutional, and in derogation of its just rights as the general representative judicatory of the whole Presbyterian church in the United States of America.

2. *Resolved*, That the General Assembly cannot be legally constituted except by admitting to seats, and to equality of powers, in the first instance, all Commissioners, who present the usual evidences of their appointment ; and that it is the duty of the Clerks, and they are hereby directed to form the roll of the General Assembly of 1838, by including therein the names of all Commissioners from Presbyteries belonging to the said Presbyterian church, not omitting the Commissioners from the several Presbyteries within the bounds of the Synods of Utica, Geneva, Genessee, and the Western Reserve ; and in all things to form the said roll according to the known practice and es-

established usage of previous General Assemblies." McElroy's Report, p. 85.

The Moderator informed Dr. Patton that he was out of order, as the first business was the report on the roll. It was then stated, that the resolutions related to the formation of the roll. The Moderator then said the Clerk had the floor. Dr. Patton replied that he had the floor before the Clerk. The Moderator again declared him out of order. Dr. Patton then appealed from the decision of the chair. But the Moderator declared the appeal out of order, and Dr. Patton took his seat without reading the resolutions.

The clerk then read the roll of the Commissioners, excluding those from the excinded Synods.

After that, the Moderator announced that if there were other Commissioners, whose names had not been entered on the roll, they could then present them.

Dr. Mason then rose and said: "Mr. Moderator, I hold in my hand a number of commissions, which have been rejected by the Clerks: I now tender them to the house, and move that the names be added to the roll." The motion was seconded. The Moderator asked if they were from Presbyteries belonging to the Presbyterian Church. Dr. Mason replied, they were from the Synods of Utica, Geneva, Genessee and Western Reserve. The Moderator declared the motion to receive those commissions was out of order. From this decision Dr. Mason said he would appeal to the house. The appeal was seconded. But the Moderator declared the appeal was out of order.

These were, to be sure, strange decisions, when it is remembered that the rules of the house say: "The question on the appeal *shall be taken.*"

When Dr. Mason had taken his seat, Rev. Miles P. Squirer, a Commissioner from one of the excinded Synods, rose and stated to the Moderator, that he had a commission, which had been presented to the Clerks and rejected by them, and that he now presented it to the house. When the Moderator learned from him that he came from the excinded region, he said: "We do not know you, sir." Mr. Squirer then took his seat.

What now could be done? It was evident, the Moderator and Clerks had *conspired* to prevent a *constitutional*

organization of the Assembly. The Moderator would put no motion to the house, however orderly it might be, which did not favor a party organization. He would allow no appeal from his decisions. Business was at a stand, except the wire-working of the Moderator and Clerks, who were doubtless doing as their Convention had directed them. It was necessary that the meeting should organize, and it was necessary that some other person should put a motion to the house. This was done. The Rev. John P. Cleaveland rose and stated in substance : " That as the Commissioners to the General Assembly for 1838, from a large number of Presbyteries, had been refused their seats ; and as we had been advised by counsel learned in the law, that a constitutional organization of the Assembly must be secured at this time and this place, he trusted it would not be considered as an act of discourtesy, but merely as a matter of necessity, if we now proceed to organize the General Assembly of 1838, in the fewest words, the shortest time, and with the least interruption practicable. He therefore moved that Dr. Beman, from the Presbytery of Troy, be Moderator, to preside till a new Moderator be chosen."

The motion was seconded, and then put to the house by Mr. Cleaveland. It was carried by a large majority of those who voted, only a few voting in the negative.

Dr. Mason and Rev. E. W. Gilbert were chosen Clerks. Dr. Beman then stated that the next business before the house was the election of Moderator. The Rev. Dr. Fisher was nominated and duly elected.

Dr. Fisher then took the station which had been occupied by Dr. Beman, and called for business. The Rev. Dr. Mason and Rev. Mr. Gilbert were chosen stated and permanent Clerks. A motion was made and carried, that the General Assembly now adjourn to meet forthwith in the session room of the First Presbyterian Church.

The Reformers remained and formed another Assembly. And the division of the church was accomplished.

It has been objected against the organization of the Assembly, that it was the result of a *plan* ; and the impression has often been made, that the plan was laid in *cunning* and *secrecy*. But it was proposed and adopted in open day, with open doors, and the Reformers were ap-

prised of it, as appears from the following statement in reference to their Convention : " In the Old School Convention this afternoon, information was received, that the members of the other Convention, by a vote nearly unanimous :

Resolved, That if any of their party should be refused seats in the General Assembly, about to be constituted on the morrow, they will themselves organize a General Assembly at the same place at the proper hour." W. P. Herald, May 31, 1838.

It will be remembered that on the 15th of May, the Constitutional party made their overtures for an amicable arrangement, which was rejected by the other party. The next day [the 16th] the Reformers are in possession of the plan which the Constitutional party intended to pursue to secure their rights.

The resolution referred to was in these words :

" *Resolved*, That, should a portion of the Commissioners to the next General Assembly attempt to organize the Assembly, without admitting to their seats Commissioners from all the Presbyteries recognized in the organization of the Assembly of 1837, it will then be the duty of the Commissioners present to organize the General Assembly of 1838, in all respects according to the Constitution, and so transact all other necessary business consequent upon such organization." See Cincinnati Journal, June 28, 1838.

It seems, however, that the Reformers expected, by taking possession of the Seventh Church, as a Convention, before the other party could get in on the morning of the meeting of the Assembly, together with the aid of the resolutions of the Trustees of the Seventh Church, allowing the house only to a Reform Assembly, that they would be able to prevent a Constitutional organization.

An objection has been urged against the organization of the Assembly, that " Mr. Cleaveland had no right to put the question to the house." To this it has been replied, that he *had the right*, according to the usage of all bodies, when the officers are absent, or refuse to do their duty. The Moderator is the servant rather than the master of a deliberative body. He possesses delegated power, for the *preservation of order, and directing operations according*

to the rules of the body. He is put in the chair, not to prevent the *orderly* operations of business and to *create disorder*, not to make new rules or nulify old ones, but that he, as well as the members, may observe the rules of the body. And whenever a Moderator sets himself above the law, and refuses to organize the body, according to its rules, he forfeits his place. This is a correct principle in all deliberative Assemblies of freemen.

On this point the Editor of the Presbyterian wished to make a false issue. He said: "Suppose a member of Congress should rise in his place, *after the house was organized*, and should offer a motion and put it, would it not be ridiculous?" This was not the case in point. Mr. Cleaveland made and put his motion before the organization of the house, while the Moderator of the previous Assembly was in the chair *pro. tem.* according to usage, till the Assembly could be organized.

But to make a supposition in point: Suppose in Congress, before the organization of the house, a person put *pro. tem.* in the chair, a chairman or a clerk, should set himself above all law, hesitate to enrol members, refuse to put motions or appeals to the house, or to organize according to usage. What would Congress do in such a case? Would they be obliged to submit to the usurpation or obstinacy of the officer, and only discuss such subjects as he would propose, or take such action as he would allow? It has so turned out that, since that time, Congress has been called to act in such a case; and the public are not left to guess what Congress would do under such circumstances.

The twenty sixth Congress met on the second of December, 1839. According to the laws and constitution of the United States, the clerk of the House of Representatives takes the chair till the organization of the body is completed. The clerk, at the proper time and place, when the members came together, commenced calling the roll. He proceeded with the States till he came to New Jersey. He then proposed passing over her representatives, as their seats would be contested. Her representatives were whigs. The clerk was an administration man. Passing over these members would probably give to the clerk's party the ballance of power in the organization—

election of speaker, &c. Here business came to a stand. The clerk was unwilling to proceed, except in his own way. On the fourth day, Mr. Adams rose and said:

“Fellow-citizens and members elect of the Twenty Sixth Congress of the United States: I address myself to you and not to the clerk in the chair, under a painful sense of my own duty. The clerk has said he will not proceed in the call, according to established usage and custom. He discovered yesterday that he might put the question of adjournment. He therefore put it; but he gave notice that he should put no other question. Fellow-citizens, in what predicament are we thus placed? We are fixed as firmly and as immovably as these columns around the house. We can neither go forward nor backward, and the clerk tells us that he will persist in both the decisions he has made. We must organize. If there is difficulty in relation to any portion of us, we must do what Mr. Jefferson said was done when Lord Dunmore dissolved the legislature of Virginia on a sudden. What did they do? They adjourned to a tavern—they constituted themselves a convention, and they acted as the legislature of the state or colony. They actually, instead of being assembled in the place from which the act of the Governor had excluded them, adjourned to another place, formed themselves into a convention, and there acted in the name of the State. I call upon you, in the name of the people, to organize. I call upon the House to set aside entirely his decisions, and to act for themselves. I have no doubt of their power to do it. Therefore, in submitting this proposition, I have no reference to the clerk, nor to any opinion of his. I propose that the House itself should act. It may, if it pleases, choose a temporary clerk.”

These extracts from Mr. Adam's speech will show how Congress-men feel in a case in which an officer refuses to do his duty. Mr. Adams was repeating his call upon the House to act, regardless of the gentleman in the chair, when he was interrupted by many members asking: “How shall the question be put?”—“Who will put the question?” Mr. Adams replied, raising his voice above the tumult: “I intend to put the question.” Mr. Adams was accordingly soon nominated and elected to act as chair-

man, till the House could be organized and a speaker appointed.

Here is, then, a case in point. Has any one contended that Mr. Adams had no right to put the question? Has any one said that the Twenty Sixth Congress was not constitutionally organized, because the gentleman in the chair was removed and another put in his place?

And how very similar the two organizations. The moderator of one body and the clerk of the other, according to law, were acting as chairmen till the organization of the bodies, and the election of presiding officers. The chairman of each body refuses to enrol certain members claiming seats, with commissions in proper form. They refuse to put motions bearing upon the roll. Mr. Cleveland in one body, and Mr. Adams in the other, rise and call upon the members to organize—to act regardless of the decisions of the chair, and appoint other officers who will organize according to law and usage. And the thing was done. There was opposition, and cries of order from those who were opposed to the organizations. But the voices of Mr. Adams and Mr. Cleveland rose above the swelling tumult—above the cries of order, the coughing and scraping of the opposition, and were heard by all who wanted to hear.

It is a matter of history, that there was confusion and noise in the organization of the Assembly. The effort was made by leading men among the Reform party to fasten the odium of the tumult upon the Constitutional party. On this point, also, it is but fair that the Reformers should be heard. The "Presbyterian," it would seem, was satisfied that the "New School" had "*utterly disgraced themselves.*" The reason is thus given: "Mr. Cleveland rose, and with a disregard to all decorum, seldom witnessed in any place, proceeded, in defiance of all the authority of the moderator, to read the resolution. The New School party then rose in a most disorderly manner, yelling and shouting, and voting, pretending to organize by the appointment of a moderator and clerk, and then, amidst the clapping of a dozen or two of their party, retired to the Rev. Mr. Barnes' church, crying out as they retired: 'The General Assembly of the Presbyterian Church will meet in the First Prebyterian Church.'"

With this he then contrasts the conduct of the Reformers: 'They remained quiet in their seats during this outrage.' See W. P. Herald, May 31st, 1838.

The Pittsburgh Christian Herald, another Reform paper, thus closes his notice of the affair: "This ridiculous and riotous farce was concluded with stamping and clapping, as if they had obtained a great victory, which they certainly did over common decency and common sense. It is gratifying to add, that except the declaration of the moderator, that they were out of order, which was mildly and decorously announced, there was not an act or a word by any member of our house, and to hear the screams of *aye* at the different votes, and see and hear the mobbish manner in which the whole was conducted and concluded was far beyond what I ever witnessed before." See W. P. Herald, May 31st, 1838.

The Editor of the W. P. Herald, May 31, 1838, denominated the organization of the Assembly "*a riot*". He said: "That gentlemen of respectability—that Presbyterian ministers and ruling elders of decent character should have deliberately formed and attempted to execute a scheme at once so indecent, vulgar and ridiculous, is, we firmly believe, a thing without a parallel. Their partisans may call it by what name they please, but we are well satisfied, that all calm and decent people will call it a riot, and nothing more or less can be made of it."

Mr. Hawthorn, a Reformer from Kentucky, said: "Mr. Cleaveland demanded to be permitted to read his paper, and in the midst of loud cries of order, he proceeded. Then ensued a scene of confusion unparalleled in the meetings of the Assembly. I must, however, be permitted to say that it was almost exclusively among the New School party and the spectators." See W. P. Herald, May 31, 1838.

It will be seen that these narratives differ in one point—about the confusion. The Pittsburgh Herald declares that "there was not *an act or a word* by any member" among the Reformers, "except the declaration of the moderator, which was mildly and decorously announced." But Mr. Hawthorn says, that Mr. Cleaveland proceeded to read his paper "*in the midst of loud cries of order,*" from the Reformers of course.

To judge, however, of the correctness of the foregoing statements, other sources of information should be referred to. The American Sentinel, a political daily paper of Philadelphia, said: "This body met yesterday at the place appointed by the Assembly of last year. The various rumors which were afloat in the morning, led us to expect division and confusion from the conflicting claims of the parties. A large concourse was present; happily, however, the party known as the New School, had taken their measures with so much wisdom, and carried them through with so much moderation, promptness and confidence, that the other party were taken by surprise and allowed them to go on and elect their officers and complete the organization of the Assembly with entire unanimity. We learn that the course pursued by the Trustees of the Seventh Presbyterian Church rendered another place of meeting necessary; and the Assembly adjourned to meet in the First Presbyterian Church, where its sessions will hereafter be held. Perhaps it would have been better if the audience had withheld their applause when the work was done. We are also informed that the Old School party organized after the others had left the house. The party known as the New School did not adopt this course until it was rendered certain that their brethren were fully determined to carry out the aggressive measures of the last Assembly, by which five hundred ministers and sixty thousand church members were illegally, and without trial, declared to be no longer connected with the Presbyterian church. The aggrieved party have now rendered their churches secure."

An examination, however, of the testimony before the Supreme Court of Pennsylvania in the Church Case, will prove more satisfactory than any newspaper accounts.

In the trial, the Reformers had thirty witnesses. The greater portion of these testified that the tumult was chargeable upon the other party. It will be borne in mind, that all these witnesses, except one or two, were of the Reform party—some of them the leaders of the party, and the very persons concerned in the transactions which were undergoing a legal investigation, viz.: Messrs Breckinridge, Plumer, the Moderator, the Clerk, &c. And some of the witnesses were salaried officers, who made their bread by

serving their party, viz. : Drs. Miller, Elliot, Messrs. McFarlan, Lowrie, &c. It is not to be wondered at, that these gentlemen would consider every thing very disorderly that would be attempted by the Constitutional party to stay the usurpations and disorders of the so called *reform*.

The testimony of Professor McLean, (an Old School man) a member of the Assembly of 1833, and a witness for the Reformers, was as fair as could have been expected. He said: "That there had been as little disturbance by the members of the New School party, as had been possible, in that state of things." "I thought that the tumult could not be charged on them, though they were the occasion of it"—"I thought the proceedings disorderly, of course; I have never thought otherwise."—"Toward the conclusion of the scene, there was clapping and some hissing. I did not know any of the individuals who clapped or hissed, but supposed the clapping was in approbation, and the hissing in disapprobation."—"I saw no clapping or hissing from any member of the Assembly."—"The voices of the New School in voting were altogether above the pitch necessary to be heard."

Counsel for the New School asked—"Was it not necessary to speak loud in order to be heard?"

Witness.—"It was a perfect scene of confusion. I suppose it was necessary to speak loud in proportion to the noise in order to be heard. The voice naturally rises in loudness with excitement."

Counsel.—"Is it not more probable that the opponents of the New School men would make a noise to interrupt them, than that *they* should interrupt themselves?"

Witness.—"As an abstract proposition it may be so." See McElroy's Report, pp. 240, 241.

Mr. Norris, an Episcopalian, was, with not more than one exception, the only witness for the Old School, who was not an Old School Presbyterian. He did not fix the confusion upon the New School. The most that he said about the noise was in these words: "I saw Mr. Cleveland rise. He held a paper in his hand, and appeared as if he was reading from the paper. He read in a very loud voice. His voice was very loud, clear and distinct. I could hear every thing which he read, but do not now remember what it was. When he finished reading the pa-

per, as I presumed, he nominated Dr. Beman to act as chairman. I heard a very loud affirmative, I should think from the galleries, as well as the lower part of the house." See McElroy's Report, page 239.

Rev. Mr. Boardman, an Old School witness, said: "The Moderator called him [Mr. Cleaveland] to order, and rapped with his hammer repeatedly, and there were cries of order from a number of the members around me, who used various expressions; some cried '*shame, shame,*' and I heard one or two gentlemen say: '*Let him go on.*' At this time some rose on their feet, and there were some standing on the seats, which prevented me from seeing Mr. Cleaveland." See McElroy's Report, p. 216.

The reader will see how this contrasts with the accounts that went out at the time through the papers of the Old School to their readers: "Except the declaration of the Moderator that they were out of order, which was *mildly* and *decorously* announced, *there was not an act or a word* by any member of our house."

Dr. Miller, of Princeton, was a witness for the Reformers. He said: "It was indeed a scene of great excitement, and I was surprised to find myself, though not a Commissioner, unconsciously waving my hand and expressing a wish for the restoration of order." See McElroy's Report, p. 312.

It was to be sure a scene of excitement. And if Dr. Miller, whose character and deportment was sanctified by years and religion, was found, though not a member, waving his hand and crying order, what was to be expected of men whose career has been marked by rashness and violence?

But some of the testimony on the other side must be exhibited. Mr. Gemmill was a witness for the Constitutionals, and not a member of any church. He said: "I attended the church in Ranstead Court on the day of the organization of the Assembly of 1838. I was leaning on a pew, near the South West door, just under the gallery, not far from the Moderator. I saw Mr. Cleaveland rise, but did not hear much of what he said, because of the noise around me. In the neighborhood where I was, there was a great deal of scraping with the feet, stamping and other unseemly noises. I saw a great number of the Old

School members around me. I saw none other in that pew or in the vicinity where I was." "Some of them scraped with their feet and stamped on the floor, and there was considerable other noise in that neighborhood. This was while Mr. Cleaveland was speaking or reading. His face was, at first, towards the Moderator, that is, when he first commenced. I spoke to some of the gentlemen around me, and asked what was the necessity of making so much noise. I knew some of them to be ministers, and said to them, that I thought that was pretty conduct for clergymen, and asked them if they had not better hear what the gentleman who was reading had to say."—"I am not a member of any church, and felt that it was rather assuming for me to rebuke them, but I thought their conduct justified me, and I wanted to hear."—"There was a tumult through the house. I cannot say that it was confined to the Old School party, but I understood that those near me were the Old School. They generally acted with the Old School party."—"I should not call it a riot. There was scraping and coughing. I was twenty or thirty feet from Mr. Cleaveland, and there did not appear to be as much noise near him as about where I was." See McElroy's Report, pp. 246, 247.

Mr. Elms, a Congregationalist, was a witness for the Constitutional party. He said: "I stood near the Moderator. Dr. Miller was between Dr. Elliot and me. Dr. Elliot hammered and called to order, and Dr. Miller tried to hush the noise. He put his hand up as though to stop the tumult, and used some expression like 'Let them go through.' Dr. Miller, I think, stood up at this moment. He had before been sitting. This was about the time Mr. Cleaveland was endeavoring to read his paper. The tumult was the calling to order, very loudly, in the neighborhood of the Moderator. All the noise pretty much that I heard was in that part of the house."—"The reason why I could not hear all distinctly, was, that there were calls to order. The Moderator called to order very loudly, and thumped with his hammer; and others around him called order loudly. There was a good deal of stir and bustle. This was what I meant, when I spoke of tumult." See McElroy's Report, 251.

In justice to the Hon. Mr. Lowrie, it ought to be stated,

that in his neighborhood, he heard “ *no legislative coughing.*” And in reference to many of the Reform witnesses, it may be conjectured that they were in the midst of so much noise, from calling to order, rapping the hammer, cries of ‘ *shame, shame,*’ ‘ *let them go on,*’ ‘ *legislative coughing,*’ &c. that they were poorly qualified to say upon whom the tumult was chargeable.

Be the facts as they may, it is difficult for an unbiassed mind to perceive what object the Constitutional party could have in view in raising a tumult to defeat their own organization. But so the Reformers would have it. They called it “ *a riot.*” And those who aided in the organization of the Assembly they called “ *rioters.*” So at least, said the Editor of the Western Presbyterian Herald.

CHAPTER XXI.

THE POLICY OF THE NEW BASIS ASSEMBLY.

Though the division of the General Assembly was effected at its meeting in May, 1838, yet the division generally throughout the churches was somewhat gradual. The Reformers, by the excision of nearly one fourth of the church, had made the impression upon the minds of many, who had no sympathy for their new measures, that they were *the church*, seeming to be the majority—such persons supposing that the majority, by whatever means secured, must be the church.

By this policy of the reform party, it must be conceded, that when the Assembly divided, counting all who claimed seats, the Reformers had the majority. The reform estimate of the strength of the parties, after the division of the Assembly, was briefly the following:

Whole number, claiming seats in the Assembly of 1838,	282
Whole number who acted with the Reformers,	156

Leaving for the Constitutional Assembly, including a few neutrals, 126

(See Western Presbyterian Herald, June 14th, 1838.)

According to this estimate, the Reformers had fifteen more than half of the Assembly.

But the strength of parties in the Assembly did not exhibit the strength of parties throughout the church. After the division of the Assembly, the Reformers claimed the Southern States almost entirely. They congratulated themselves that "*six ministers*" constituted the strength of the "*New School*" in the South. In this they suffered themselves to be deceived, as subsequent events have proved.

After the division of the Assembly, the Synods, Presby-

teries and Churches had to take action on the subject of separation. This was not generally done till the next fall, and then not completely; for since that period several Presbyteries, and many churches have left the New Basis, and planted themselves again upon the constitution of the church.

In noticing the policy of the Reformers, we must in justice confine ourselves to *their own documents and reports*. Their correctness or incorrectness, as regards *principles or matters of fact*, is a subject of lawful investigation. And whether their principles are more in accordance with truth than their statements, the reader must judge. It cannot, however, escape the notice of any one, that much that was said in their papers and documents was *for effect*.

Let the reader take up the Western Presbyterian Herald of the 14th of June, 1838, and he may have a specimen of things *reported for effect*. There the Editor, who boasts as much nobleness and fairness as is common among his Reform brethren, sends out to his readers a report of seven things, which he, no-doubt, was willing they should believe "for substance of doctrine," or, "as a system:"

1. "That Dr. Taylor, of New Haven, officiated and preached the action-sermon" for the Constitutional Assembly.

2. "That Dr. Richards, of Auburn, one of the most judicious divines connected with the secession, retired from their councils in disgust, very soon after the Constitutional Assembly was organized."

3. "That Judge Hall-one of the most judicious laymen connected with the secession, did not hesitate to express the opinion that they were destroying their prospects, by their imprudent and undignified proceedings."

4. "That the brethren (in the Constitutional Assembly) were sometimes constrained to laugh outright at the ludicrousness of their appearance."

5. "That our brethren of the secession seriously contemplated at one time superceding that tyro in theology, Archibald Alexander, and filling the chair which he has so unworthily occupied in the Seminary at Princeton, with the venerable Albert Barnes."

6. "That certain persons, sound Presbyterians to be

sure, and very honorable men, have given reason to expect that they will adhere to the Presbyterian church, or depart to the Seceders, according as the civil courts shall adjudge the church property to the one or the other of these bodies. Verily, these conscientious lovers of truth and order, and contemners of filthy lucre, remind one of a toast said to have been offered some years ago, on a public occasion in Richmond, Va., by John Randolph—*The venerable Thomas Ritchie, and his principles; just seven—five loaves and two fishes.*”

7. “That our seceding brethren intend to claim, not only all the property held by the Trustees of the General Assembly, but all the property held by all the congregations heretofore connected with the Presbyterian church in the United States of America.”

Had the veracity of this Editor at this time been called in question, it is probable he would have substantiated the whole by certificates, as in the case of Mr. Stiles’ *unsoundness in the faith*, and the certificate of Mr. Craig!

Though the Editor was willing that his readers should believe these things “for substance of doctrine,” yet he was himself chargeable with an inconsistency never imputed even to the “New School,” viz.: wanting others to believe “for substance of doctrine” what he did not himself believe.

It should not, however, be supposed, that in these *seven reports* there was nothing true. About two-sevenths of the statements were true; especially what was said under the sixth item about “certain persons” of *seven principles—five loaves and two fishes*. These are the persons, no doubt, of whom this same Editor was speaking in the W. P. Herald, of July 21st, 1836, when he said: “There are always some ready to join the strongest party, just because it is the strongest party.” What, therefore, was said on this point was true. Those who love to go with the strongest party—men of *seven principles*, belong not to the Constitutional party. And, indeed, after laboring from 1830 to 1837 to get the stronger party and the men of *seven principles*, the Reformers ought not to complain at their success.

Well, as the newspaper reports of the Reformers are

not to be relied on, the doings of other bodies must claim attention.

When the Reformers, year after year, were in the minority, and were laboring for division, they then talked about *an amicable separation, and an amicable division of church property*. But when they found themselves a majority in the Assembly, and had formed a division by excision and other unconstitutional measures, they seemed to have greatly changed their opinions about amicable adjustments. The attempt was early made by the Reform party to set up an *exclusive* claim to the name, privileges, rights and property of the church. They were unwilling the community should regard the Constitutional party as one division of the body, but as a faction of seceders, who had gone out from them, renouncing the name, the doctrines, or any claim to a share of the property of the church.

That this is a correct view of the reform policy, will appear from a history of the times. Below are given some resolutions which were before the New Basis Assembly of 1838. They were not acted on, it was said, because "the secession commenced their suits at law." But the Editor of the Presbyterian, in publishing them, says: "In the main, we believe they expressed the mind of the Assembly."

The first paper was offered by Dr. Phillips, and is as follows:

"Whereas, the Presbyterian church in the United States, as now represented in the General Assembly of the same, have for years contended for the doctrines and order of the gospel, for the truth, purity, peace and spiritual prosperity of the church, and not for earthly gain; and whereas, a portion of what has heretofore been called the Presbyterian church, have voluntarily gone out from us, and by their secession and separate organization, have forfeited in law, all their title to any of the property belonging to the Presbyterian church; and whereas, the General Assembly have no desire to hold or use any funds, which may in equity belong to said secession, therefore,

"Resolved, That a committee be appointed to ascertain what portion, if any, of the funds in the hands of the Trustees of the General Assembly, may be equitably

claimed by those who adhere to the secession, and report to the next General Assembly, and thus, if possible, secure an amicable adjustment of our pecuniary affairs."

The other paper was offered by Mr. Breckinridge, and is as follows: See Cincinnati Journal, June 28th, 1838.

"The General Assembly of the Presbyterian church in the United States, both during its present sessions, and during those of last year, had distinctly and repeatedly expressed its perfect willingness to settle all the difficulties, and especially those of a pecuniary kind, which have arisen, or could arise, between those Synods which have been declared out of our connexion, and all who have seceded and united with them, on the one part, and the church itself on the other.

This was indeed the earnest desire of the church; as well because of the questions involved, turned finally on questions purely ecclesiastical, as because money questions were in our view wholly insignificant, compared with others which lay behind them. And as we construed the law of God, it seemed better, even to take wrong and suffer injustice in temporal affairs, than to be prompt to hale even nominal christians before the judge. But above all, we utterly repudiate all pretensions, from whatever quarter, to control the conscientious decisions of the Church of Christ, on matters of christian doctrine, order or discipline, by the civil tribunals.

We are bound, and we hope prepared, to render to Cæsar all things that are Cæsar's, but we are also bound, and resolved, never to surrender to Cæsar the things which are only God's.

It is, therefore, with decided reprobation, that this Assembly has learned, not only that suits are threatened against its Board of Trustees, but that other suits have been actually commenced against the officers of this body, and several of its members, the object of which is, not only to prevent the free action of our ecclesiastical courts, but to unchurch the church itself, by the action of civil power.

Under the present state of these painful affairs, this Assembly deems it a solemn duty, to declare, and does hereby declare:

1. That it expects of its Board of Trustees the same

loyalty to the church, and the same fidelity to its Divine Lord, that have marked their course in past times, and it hereby pledges to them its support, and that of the churches represented in it, in their lawful acts, in carrying out the decisions of the last and present Assemblies.

2. that we solemnly in the name of God, whose we are, and whom we try to serve, and on behalf of his Church, of which we are Ministers and Ruling Elders, and as commissioners constituting its highest earthly court, do hereby protest against all attempts to subject the Church of Christ, in its purely ecclesiastical action, to the surveillance, or revision of the civil power. And as free American citizens, we renounce for ourselves and for our country, all pretence to any such ruinous power as it regards others.

3. That the churches and minorities of churches in the bounds or under the care of either of those Synods or Presbyteries, which were declared to be out of the ecclesiastical connexion of the Presbyterian Church in the United States of America—or within its bounds, or under the care of any seceding Presbytery or Synod, which churches or minorities are willing to adhere to the Presbyterian Church in manner and form repeatedly declared by this Assembly, all such churches and minorities are hereby advised, not only to take steps for their early union with our body, but also to protect themselves in the exercise of ecclesiastical rights, to secure their corporate property against the new sect, and the ruinous principles upon which their proceedings go."

These papers, not acted on from policy, nevertheless, upon the testimony of the Editor of the Presbyterian, "in the main expressed the mind of the Assembly." The one offered by Mr. Breckinridge is especially worthy of notice, as going to show the feelings of the party.

The incorrectness of the statement, in the first sentence, about the Reform party's "perfect willingness to settle all the difficulties, and especially those of a pecuniary kind," will be noticed in its proper place.

It will be seen from this paper that the Reformers were ready to rebel against the civil authority, should an attempt be made, as they had learned would be the case, to bring their conduct before a civil tribunal. See their bold declarations: "We utterly repudiate all pretensions, from

whatever quarter, to control the free and conscientious decisions of the Church of Christ (the Reform party) on matters of christian doctrine, order or discipline, by the civil tribunals." "We solemnly, in the name of God, whose we are, and whom we try to serve, and on behalf of his church, of which we are ministers and ruling elders, and as commissioners constituting its highest earthly court, do hereby protest against all attempts to subject the Church of Christ, in its purely ecclesiastical action, to the surveillance or revision of the civil power." They seemed to regard their "ecclesiastical action as belonging to God and not to Cæsar." And then they take a bold stand against this expected interference, and make a bold declaration: "We are bound, and we hope prepared to render to Cæsar all things that are Cæsar's, but we are also bound and *resolved never to surrender to Cæsar the things which are only God's.*"

The Reformers attempted to inculcate such sentiments among their people. The Editor of the "Watchman of the South," says: "No court in any of these States can ever be brought to review or reverse ecclesiastical decisions."—"Its (the Assembly's) decisions can be reviewed or reversed by no other court on earth." These sentiments were copied into the Western Presbyterian Herald, of June 28th, 1838.

The doctrine set forth in Dr. Phillips' paper, is, that the reform party is the church, and that the constitutional party had forfeited their claim to any thing belonging to the church. This is the language: "Whereas, a portion of what has heretofore been called the Presbyterian Church have voluntarily gone out from us, and by their secession and separate organization, have forfeited in law, all their title to any of the property belonging to the Presbyterian Church."

It will be seen that the excision is called a *voluntary going out*; and the division of the body, a *secession*. But that party had a strange way of naming things; the impropriety of which is often as manifest as it would be for Reformers in a church to call themselves *the Old School*.

But in Dr. Phillips' paper it was admitted that the Constitutional party had a title to property; but as the Reformers would have a separation, so now they must have

all the property; for says the paper, the Constitutionals "have forfeited in law, all their title to any of the property belonging to the Presbyterian church."

This policy of claiming all the property, as appears from Mr. Breckinridge's paper, was to extend even to the ex-cinded Synods. In that paper, not only majorities of churches, but even minorities are "hereby advised, not only to take steps for their early union with our [reform] body, but also to protect themselves in the exercise of their ecclesiastical rights, *to secure their corporate property against the new sect*, and the ruinous principles upon which their proceedings go."

Here are surely some strange features in the policy of the New Basis sect. They will have division, and "to effect this separation," they cast out whole Synods and Presbyteries and churches, and then advise "minorities," however small, to seize upon the funds—"to secure their corporate property against the new sect." Then they proclaim that their proceedings are "*ecclesiastical*," that they belong to the church, and the church belongs to God, and to permit the civil courts to review their proceedings would be subjecting the church of Christ to the surveillance of the civil power; and then they resolve "never to surrender to Cæsar the things that are only God's."

It will here be seen in what a state of embarrassment the Constitutional party found themselves. When the division took place, all the chartered funds of the Assembly were in the hands of the reform party, and they were advising their *minorities* of Synods, Presbyteries and churches to secure all the property. And when the constitutional party declared their intention to let the civil courts decide, whether one party might thus disfranchise another, the Reformers cried out, "Oh, you must not go to law—it will injure religion!" The injured party then said: "We differ about rights and property—who shall decide?" The Reformers were ready to say, "We will decide—you are seceders—just go along about your business—you have forfeited all title to your property—yet, if you will go off right peaceably, we will give you, as a charity, what we can spare. The times, however, are hard—the Vicksburg Bank is broke, and you must not expect much. Indeed, the Trustees of the General Assem-

bly only hold some three hundred thousand dollars—hardly worth dividing—and as you care but little for the stuff, would it not show your great disinterestedness just to agree, not only that the funds of the Assembly, but all the Theological Seminaries, parsonages, town lots, church edifices, &c., of the whole body should belong to our party. Indeed, you must submit to our terms, and to our decision; for we do not intend that our proceedings shall be reviewed by the civil courts. Ecclesiastical proceedings are God's, and *we are resolved never to surrender to Cæsar the things which are only God's.*"

To these terms the other party were unwilling to submit. And whether such a policy as the Reformers attempted to carry out should have been submitted to by the other portion of the church, is a question that men may decide differently.

CHAPTER XXII.

THE GREAT REFORM ORDINANCE OF 1838.

The most important measure of the New Basis Assembly of 1838, was the passage of the *three great acts* "for the general reform and pacification of the church." Omitting the third, being of a local bearing, we present the first two :

REPORT

*Of the Committee on the State of the church, as adopted
May 30, 1838.*

"The Presbyterian church in the United States of America, finds itself, by the providence of God, in the course of new and unprecedented events, in a position of great difficulty, novelty, and importance. The church, led and supported by the God of Zion, has, within the last few years, commenced a great reform, which has become indispensable to its very existence, as organized on the principles of the doctrine and order of its own constitution. The General Assembly of 1837 carried forward this reform, in several measures of great and momentous importance, for the details of which we refer to its records. The voice of the church, uttered in a multitude of forms, and especially by the commissioners to the present General Assembly, is clearly and decisively in favor of consummating the reform thus auspiciously commenced. But a portion of the ministers and ruling elders, sent to this Assembly, forgetting, or violating, as we apprehend, their duty to God and to the church, and choosing to depart from us, have, in connection with other persons not in the com-

union of our church, constituted a new ecclesiastical organization, which they improperly and unjustly assume to call the true General Assembly of the Presbyterian church in the United States of America. To meet the present crisis at once with the temper and spirit becoming our high vocation, and to persevere in it, and carry safely through it, the church committed in so great a degree to our guidance, in times of so much trial and disorder, the three following acts are now ordained and established :

ACT I.

SEC. I. That in the present state of the church, all the Presbyteries in our connection ought to take order, and are hereby enjoined to take such order as is consistent with this Minute, for the general reform and pacification of the church, and they are directed so to do, some time between the dissolution of the present General Assembly, and the fall meetings of the Synods, either at stated or *pro re nata* meetings of the Presbyteries, as shall seem most advisable to them respectively. And those Presbyteries, whose commissioners to this Assembly have united with others in the formation of another Assembly, in the presence of this, and with tumult and violence in open contempt of it : or who have advised the formation of said body, or adhered to, or attended it, as members thereof, after its formation, renounced, or refused to recognise this true and only General Assembly of the Presbyterian church in the United States of America, are hereby required to take proper order in regard to their said commissioners.

SEC. II. In case the majority of any Presbytery, whose commissioners have acted as aforesaid, shall take proper order touching their conduct in the premises, and are willing, upon the basis of the Assemblies of 1837 and 1838, to adhere to the Presbyterian church in the United States—then, and in that case, the acts of their said commissioners, in advising, creating, or uniting with said session, or in refusing to attend on this Assembly, as the case may be, shall not prejudice the rights or interests, or affect the integrity of said Presbytery, or its union with the Presbyterian church in the United States of America, as an integral portion thereof.

SEC. III. In case the majority of any Presbytery shall refuse, or neglect to take proper order in regard to its seceding commissioners, or shall approve their conduct, or adhere to the new sect they have created, or shall decline or fail to adhere to the Presbyterian church in the United States of America, upon the said basis of 1837 and 1838, for the reform of the church—then, and in that case, the minority of said Presbytery shall be held and considered to be the true Presbytery : and shall continue the succession of the Presbytery by its name and style, and from the rendition of the erroneous and schismatical decision, which is the test in the case, be the Presbytery ; and if sufficiently numerous to perform presbyterial acts, shall go forward with all the proper acts and functions of the Presbytery.

SEC. IV. In case the minority of any Presbytery should be too small to constitute a Presbytery, and perform presbyterial acts, said minority shall remain in its existing state until the next subsequent meeting of the Synod to which it properly belongs, which will then take order on the subject. Otherwise, there is a possibility that several Synods might be unable to constitute, if majorities of part of their Presbyteries should adhere to the secession, and the minorities attach themselves to other Presbyteries or several unite into one, before the Synods meet.

SEC. V. The principles of this act shall apply to *churches*, with their majorities and minorities—and to church sessions, as far as they are applicable. And the Presbyteries are hereby required so to exercise their watch and care, that as far as possible, all the churches may be preserved, and where unhappily this cannot be done, then that the minorities in the sessions and churches shall be cared for, and dealt with on the general principles now laid down.

The Assembly is fully sensible that in divided Presbyteries and churches, every thing depends, under God, upon the promptitude, firmness, wisdom and moderation of the friends of Christ, in this great crisis. In this conviction, the whole of that part of the subject which relates to churches and private christians, is especially commended to the christian zeal, prudence and fidelity of the Presbyteries and church sessions. In regard to the temporal in-

terests of the churches, and the difficulties which may arise on their account, the Assembly advise that, on the one hand, great liberality and generosity should mark the whole conduct of our people, and especially in cases where our majorities are very small : while on the other hand, it would advise, that providential advantages, and important rights, ought not, in any case, to be lightly thrown away.

SEC. VI. it is enjoined on the Synods to take order on this subject—to see that the principles here laid down are duly enforced—to take care that the Presbyteries act as truth and duty require in the premises—to make such needful modifications in the Presbyteries as their altered circumstances may require—and to promote by all proper means the speedy pacification of the churches, by delivering and saving them from the leaven of heresy, disorder and schism, which having so long worked among them, is at length ready, by Cod's mercy, to be purged away.

SEC. VII. The Synods in all cases shall be considered lawfully constituted only when formed by or out of those Presbyteries recognised as true Presbyteries by this Assembly, according to the true tenor and intent of this act.

ACT II.

Whereas, the act of the Assembly of June 5th, 1837, declaring the three Synods of Utica, Geneva, and Genesee, to be out of the ecclesiastical connection of the Presbyterian Church in the United States of America, made ample provision for the return into the bosom of the church of every minister and church, truly Presbyterian in doctrine and order, as well within the bounds of the three aforesaid Synods, as within those of the Synod of the Western Reserve :

And whereas, it is represented to this Assembly, that in addition to those who have embraced this invitation and provision of the aforesaid act, there are others who have held back, and are still waiting on the developments of Providence :

And whereas, it was never the intention of the General Assembly to cause any sound Presbyterian to be permanently separated from our connection, but it is, and always was the desire of the church, that all who really embrace

our doctrine, love our order, and are willing to conform to our discipline, should unite themselves with us :

And whereas, moreover, the General Assembly has no idea of narrowing, but would rather expand its geographical limits, so as to unite in bonds of the most intimate fellowship every portion of our beloved country, and every evangelical christian like minded with ourselves : it is therefore, resolved by the General Assembly of the Presbyterian Church in the United States of America, that it be recommended—

1. That those ministers and churches, living within the geographical limits of the Synods of Western Reserve, Geneva, Utica, and Genesec, who are willing to adhere to the Presbyterian Church in the United States, on the basis of the acts of the Assemblies of 1837 and 1838, for the general reform of the church, take steps for the immediate organization of as many Presbyteries as there are ministers and churches, such as are above described, sufficiently numerous to constitute, so that the whole number of Presbyteries thus formed, shall not exceed one Presbytery for each of the aforesaid Synods ; and so that the territory of the Western Reserve shall in no case be added to that in Western New York—and in case only two Presbyteries can be constituted on the ground occupied by the three Synods of Utica, Geneva, and Genesec—then that whole territory shall be divided between them. And in case but one Presbytery can be constituted, then the whole territory shall attach to it. In regard to the Western Reserve, it is desired that a single Presbytery be formed as soon as convenient, to embrace the whole of that ground.

2. The ministers and churches intended by this act, will hold such mutual correspondence as they shall deem needful, either by general meeting or otherwise ; and then meet, at such convenient time and place, as may be agreed on by those who are to be embraced in the same Presbytery, and then and there constitute themselves in a regular, orderly, and christian manner, into a Presbytery under the care of the General Assembly of the Presbyterian Church in the United States of America.

3. If as many as three Presbyteries can be conveniently formed in Western New York, it will be orderly for them, as soon as possible thereafter, to unite and consti-

tute themselves into a Synod, upon the principles indicated in this Act ; and such Synod, if formed, shall cover the entire territory heretofore occupied by the three Synods of Utica, Geneva, and Genesee. But in case only one or two Presbyteries can be formed, then application shall be made by it, or them, for admission under the care and into the bosom of such Synod, now in our connection, as shall be most convenient and natural. And the Presbytery on the Western Reserve, if one should be formed, will adopt the same line of conduct. And any Synod, to which application may be thus made by any Presbytery, shall take immediate order to accomplish the ends of this act. And it is considered, that any Presbytery or Synod, formed in pursuance of these directions, shall have full power to perform all Presbyterial or Synodical acts, agreeably to the Constitution of the Church."

The reader ought to notice particularly a few items in this document, which is to be considered as a part of the foundation upon which the New Basis Assembly rests.

They found themselves "*in a position of great difficulty, novelty and importance*"—in the midst of "*a great reform.*" They say : "The General Assembly of 1837 carried forward *this reform,*" in the exciting acts, and that now the voice of the church "is clearly and decisively in favor of consummating *the reform* thus auspiciously commenced."

Any one, however, must notice the absurd and inconsistent statements made by the New Basis Assembly in their "*position of great difficulty and novelty.*" Here, in the Reform Ordinance, they would seem to regret the division of the church, and lay great guilt at the door of the other party for "forgetting, or violating, as we apprehend, their duty to God and the church, and choosing to depart from us." Now, can any one believe they were in earnest in this regret, or that they were sorry the "New School" had separated from them? No. This was an attempt to impute their own guilt, in "forgetting, or violating their duty to God and the church" to the innocent.

But that they felt no regret, is evident from what they say in the latter part of the sixth section of the first Act. They there enjoin it upon Synods to promote the interests of their churches "by delivering and saving them from

the leaven of heresy, disorder and schism, which having so long worked among them, is at length ready, by God's mercy, to be purged away." Could they regret that a thing should be done, which, "*by God's mercy,*" was ready to purge away the heresy, disorder and schism which had so long worked among them?" The Reformers think the separation wrong? *They* regret it? No. They labored for it for years. In the Pastoral Letter of the same Assembly, their language is, "Rejoicing as we do, that this separation is thus far effected."

Nor do they, in their Pastoral Letter, seem to charge the Constitutional party with "violating their duty to God and his church" in separating from them. On this point they say: "If the minority cannot in conscience submit to the measures or doctrines of the majority, it is their *right* and *duty* to separate." Again they say: "The church is now fairly divided into two separate and independent denominations." Did they complain of this separation? No. They say: "We only complain as to the *manner* in which it was effected."

The third section of the first Act was regarded as the most odious portion of the document. It was offensive to many who were inclined to adhere to the New Basis Assembly. Adherence was required "*upon the said basis of 1837 and 1838, for the reform of the church.*" And this adherence upon this "*basis*" was to be "*the test in the case.*"

This ordinance was to apply even to churches as well as to Synods and Presbyteries. In section five they say: "The principles of this act shall apply to *churches* with their majorities and minorities."

The Constitutional party argued, that this was a "*new basis*" and a "*new test.*" And that such an ordinance, having the nature of "regulations," or "constitutional rules," was in the face of Presbyterianism and the constitution of the church, and especially, because it had not been transmitted to the Presbyteries for their approval. Indeed, it was a *new measure*, to say the least of it. The ministers and elders and members said they had joined the Presbyterian church upon the basis of the Confession of Faith and Book of Discipline. The Constitutional party claimed to be upon that basis, and insisted that the other

party, by planting themselves upon "the Basis of 1837 and 1838," had left the old basis.

What the party meant by the act is uncertain. Some supposed they required *approval* of the reform measures of 1837 and 1838. This, to be sure, was a very natural conclusion. Upon what basis does a man join any society? Upon the basis of its constitution. Upon what basis does a man belong to a church? Upon the basis of her constitution, and because he approves of her faith and discipline. Upon what basis does the Episcopalian adhere to his church? Or the Methodist to his? Or the Presbyterian to his? Surely upon the basis of the Confession of Faith and Book of Discipline. And why upon this basis? Because he *approves it*.

Taking this common sense view of the subject, the Assembly required adherence upon this new basis, evidently expecting that those who *approved "the basis"* would stand on it, by coming up to "*the test in the case,*" and that those who did not approve would not adhere.

But it was soon ascertained by the party, that if the *approval* of the reform measures were required, it would rapidly thin their ranks; for it may be confidently asserted that only a small portion of those who went with the Reformers, approve the *New Basis*. Approval, therefore, was not generally demanded by those Synods and Presbyteries which took action on the subject.

The history of those times shows that the reform ordinances were not every where understood alike. On the subject of *approval*, the Princeton Repertory says: "We regret the use of the language employed, because it is '*ambiguous.*' On the supposition that the act required approval, they say: "We readily admit that if this interpretation be correct, the act complained of would be *unconstitutional and tyrannical.*"

It is however true, in some cases, *approval* was demanded, and adherence upon the *new basis* was made "*the test*" of Presbyterianism. The majority of the Presbytery of Erie, belonging to the Synod of Pittsburgh, were informed by the Synod that there would be, no difficulty in their case, if they would now declare their adherence *on the basis of 1837 and 1838.*" The Presbytery answered: "We are willing to adhere to the Synod of

Pittsburgh and the General Assembly by which it is governed, without having ourselves bound by any additional pledge whatever." Whereupon, Synod "Resolved, that they do not consider said claimants as having complied with the requirements of Synod."

In this case, the majority of the Presbytery was cut off. Why? Because they were unwilling to adhere on the basis of the Confession of Faith and Book of Discipline? No. But because they could not approve the new test, and were unwilling to adhere upon the *new basis*.

The Synod of Pittsburgh, in their Pastoral Letter of 1838, thus interpret the great ordinance: "By the provision of that act, the Assembly says, if a majority of a Presbytery *approve* and adhere to us, we recognise you as a Presbytery in our connection, &c. If you do not *approve* and adhere, we compel you not, but leave you to act as your best judgment dictates. If only a minority *approve* and adhere, that minority we do not disown, but if sufficient in number, we recognise you as a Presbytery." See Manifesto, p. 16.

On the 5th of September, 1838, the Presbytery of Vincennes enjoined it upon the church session of Evansville, to take prompt measures in reference to their elder, who had been bold enough to vote, and even protest against the acts of the General Assembly; declaring, at the same time, that those only should thereafter constitute said church, who shall "*approve* of the acts of the Assembly."

At the same time, the above named Presbytery withheld from the Rev. Mr. Morrison liberty to preach within their bounds, "because he refused to give us any acknowledgment of his *approval* of those operations of the Assembly for the reform of the church." See Manifesto, p. 15

On the 4th of December, 1838, the following measure was proposed at a meeting of Charleston Union Presbytery:

"*Resolved*, That the roll be now called, and each member, without discussion, do declare whether he can *approve* the reform measures of the General Assembly of 1837; and that those who answer in the affirmative, according to the provision of the last General Assembly, do constitute the Presbytery of Charleston Union, in connection with the Presbyterian church." The moderator re-

fusing to put the question, a small minority, in obedience, as they say, "to an injunction of the Supreme Judicatory of our church," declared themselves the Charleston Union Presbytery, to the excision of the majority. And this said small minority is to this day recognised as the Presbytery by the Reform Synod and New Basis Assembly. See Manifesto, p. 15.

It was indeed urged by the Constitutional party, that the reform ordinance shouldered aside entirely the Confession of Faith. The New Basis party had asserted that they were contending alone for the truth and order of the church. In the first Act of this ordinance, they speak of the "*heresy and disorder*" of the churches. And it might have been supposed that they would have proposed a more rigid subscription to the Confession of Faith, or ordained a closer examination on theology. But this was not done. And when, according to their Pastoral Letter: "the church is now fairly divided into two separate and independent denominations," upon what basis do the Reformers require adherence to their new denomination? Was it upon the basis of the Confession of Faith? Not one word of this. The Confession is shouldered aside, and a new foundation is laid in the *great ordinance*.

Suppose some of those Synods or Presbyteries in which the "*heresy and disorder*" existed, had been called up. Were doctrinal tests to be presented? Not one word of it. And no matter how high "*the leaven of heresy and disorder*" had worked, they were to be acknowledged as sound presbyterians, according to the great ordinance, provided they would adhere upon the *New Basis*. The object, therefore, judging from "*the test in the case*," was not to secure men who loved the truth, but who would answer the purposes of the party.

In this respect the Constitutional party seemed to be the most consistent. They required adherence upon the basis of the Confession of Faith, while the Reformers required adherence upon "*the basis of 1837 and 1838*." Now which of these "*two separate and independent denominations*" has the best claim to the name of *Old School* is left for others to decide.

CHAPTER XXIII.

UNSUCCESSFUL EFFORTS FOR AN AMICABLE ADJUSTMENT.

After the church was "divided into two separate and independent denominations," each party claimed to be the Presbyterian church. The New Basis denomination wished to claim *exclusively* the name, privileges and funds of the church. The Constitutional party were unwilling to admit this claim. Such a surrender would have been a virtual acknowledgment, that they had seceded from the church of their tenderest regard—an abandonment of ecclesiastical rights—a relinquishment of funds and property bequeathed to them by their fathers for sacred purposes. By such a course they would not only have forfeited their share in the chartered funds of the General Assembly, but their theological seminaries, colleges, academies, parsonages, town lots, church edifices, and even the grave yards, where sleep their fathers and mothers, husbands and wives, brothers and sisters, sons and daughters.

In such a state of things, common sense and common honesty would say, the parties ought amicably to have adjusted their differences, and to have divided the property, so that there should have been no law suits between the parties in the Assembly, or in Synods, Presbyteries or churches. But this was not done. The Constitutional party were obliged either to yield unconditionally to those who had attempted to oppress them, or "appeal to Cæsar." They preferred the latter, for which they have been greatly censured by their former brethren.

Indeed, in no part of the controversy, has the conduct of the Constitutional party been more fearfully misrepresented than in this. The New Basis party have tried to

make the impression, that they were always ready for a friendly arrangement. In their Pastoral Letter of 1838, they intimate that the Constitutional party were averse to an amicable arrangement, and then say, "had this course been adopted, we were willing to concur in any reasonable plan for the adjustment of any unsettled claims which have appertained to the case."

Greater misrepresentations than this were made in some of the New Basis newspapers in that day. The Editor of the Western Presbyterian Herald, of June 6th, 1839, speaking of his party in 1837 and 1838, says: "The Old School, though a decided majority [of six in two hundred and fifty] then offered the other party every farthing of property which they claimed. In 1838, they were still willing and desirous to have an amicable adjustment of all property claims; but nothing would satisfy the New School but an unchristian appeal to the civil courts."

It is necessary, therefore, that the history and character of those efforts for "an amicable adjustment" should be fairly examined, that the impartial may see who "were willing and desirous to have an amicable adjustment," and who were to blame for the "unchristian appeal to the civil courts."

In the Assembly of 1837, it was well understood by both parties, that the Reformers were determined on the division of the church. Such an event the other party had ever tried to avert, when in the majority, as well as when in the minority. But when they perceived that it could not be avoided, they consented to it. The proposition, however, for the division, came from the Reform party. A committee of ten on the state of the church was appointed—five from each party.

The papers which passed between the two parties of the committee are too lengthy to insert here. They can be seen in the newspapers of that day and in the reports of the church case. From the reports of the committee to the Assembly, it will be seen, that they agreed upon all important points, except such as were connected immediately or remotely with the *charter*.

They agreed that the Assembly should be divided into two bodies—the Reform Assembly to be called *the General Assembly of the Presbyterian church in the United States*

of America, and the Constitutional Assembly, *the General Assembly of the American Presbyterian church.*

They agreed also in reference to the funds, institutions, boards, records, &c. But they differed on this point. The Reformers wanted the division consummated on the spot. The other party said they had no authority from the constitution of the church, or from the Presbyteries which they represented, to dismember the body. But they were willing to unite with the Reformers in recommending the proposed plan of division to the Presbyteries, that they might, the next year, give their sanction, and ratify what they were proposing. Indeed, according to the constitution of the church, this committee of ten, or even the whole Assembly had no more right to divide the church than the committee of ways and means in Congress has to divide the Union. And such an attempt would have been, in ecclesiastical or civil law, null and void, in any State, without the consent of the Presbyteries.

And not only did the Reformers want the plan to go into effect then, but they insisted on holding on to the *charter*, which would in any contingency make them secure, but would leave their brethren without any security except *good promises.*

We have only room for the reports of the committee. The papers alluded to, which was passed between the two portions of the committee, may be seen in McElroy's Report, pp. 51—54.

REPORT OF THE COMMITTEE OF THE MAJORITY.

“The committee of the majority, from the united committee on the state of the church, beg leave to report :

That having been unable to agree with the minority's committee on any plan for the immediate and voluntary separation of the New and Old School parties in the Presbyterian church, they lay before the General Assembly the papers which passed between the committees, and which contain all the important proceedings of both bodies.

The papers are marked one to five of the majority and one to four of the minority. A careful examination of them will show that the two committees were agreed in the following matters, namely :

1. The propriety of a voluntary separation of the parties in our church ; and their separate organization.

2. As to the corporate funds, the names to be held by each denomination, the records of the church, and its boards and institutions.

It will further appear, that the committee were entirely unable to agree on the following points, namely :

1. As to the propriety of entering at once, by the Assembly, upon the division, or the sending down of the question to the Presbyteries.

2. As to the power of the Assembly to take effectual initiative steps, as proposed by the majority ; or the necessity of obtaining a change in the constitution of the church.

3. As to the breaking up of the succession of the General Assembly, so that neither of the new Assemblies proposed, to be considered *this* proper body continued, or that the body which should retain the name and institutions of the General Assembly of the Presbyterian church in the United States of America, should be held in fact and law, to be the true successors of *this* body. While the committee of the majority were perfectly disposed to do all that the utmost liberality could demand, and to use in all cases such expressions as should be wholly unexceptionable ; yet it appears to us indispensable to take our final stand on these grounds.

For, *first*, we are convinced that if any thing tending towards a voluntary separation is done, it is absolutely necessary to do it effectually and at once.

Secondly. As neither party professes any desire to alter any constitutional rule whatever, it seems to us not only needless, but absurd, to send down an overture to the Presbyteries on this subject. We believe, moreover, that full power exists in the Assembly, either by consent of parties, or in the way of discipline, to settle this and all such cases ; and that its speedy settlement is greatly to be desired.

Thirdly. In regard to the succession of the General Assembly, this committee could not, in present circumstances, consent to any thing that should even imply the final dissolution of the Presbyterian church, as now organized in this country ; which idea, it will be observed, is at the basis of the plan of the minority ; insomuch that even

the body retaining the name and institutions should not be considered the successor of *this* body.

Finally. It will be observed from our fifth paper, as compared with the fourth paper of the minority's committee, that the final shape which their proposal assumed, was such, that it was impossible for the majority of the house to carry out its views and wishes, let the vote be as it might. For if the house should vote for the plan of the committee of the majority, the other committee would not consider itself or its friends bound thereby: and *voluntary* division would therefore be impossible, in that case. But if the house should vote for the minority's plan, then—the foregoing insuperable objections to that plan being supposed to be surmounted—still the whole case would be put off, perhaps indefinitely." See McElroy's Report, p. 49.

REPORT OF THE COMMITTEE OF THE MINORITY.

"The subscribers, appointed members of the committee of ten on the state of the church, respectfully ask leave to report, as follows :

It being understood that one object of the appointment of said committee was to consider the expediency of a voluntary division of the Presbyterian church, and to devise a plan for the same, they, in connection with the other members of the committee, have had the subject under deliberation.

The subscribers had believed that no such imperious necessity for a division of the church existed, as some of their brethren supposed, and that the consequences of division would be greatly to be deprecated. Such necessity, however, being urged by many of our brethren, we have been induced to yield to their wishes, and to admit the expediency of a division, provided the same could be accomplished in an amicable, equitable, and proper manner. We have accordingly submitted the following propositions to our brethren on the other part of the same committee, who at the same time submitted to us their proposition, which is annexed to this report. (Here read the proposition marked Minority No. 1, and Majority No. 2.)

Being informed by the other members of the committee, that they had concluded not to discuss in committee the

propositions which should be submitted, and that all propositions on both sides were to be in writing, and to be answered in writing, the following papers passed between the two parts of the committee. (Here read papers, No. 2, minority—2, majority—3, majority—3, minority—4, majority—4, minority—5, majority.)

From these papers it will be seen, that the only question of any importance upon which the committee differed, was that proposed to be submitted to the decision of the Assembly, as preliminary to any action upon the details of either plan. Therefore, believing that the members of this Assembly have neither a constitutional nor moral right to adopt a plan for a division of the church, in relation to which they are entirely uninstructed by the Presbyteries; believing that the course proposed by their brethren of the committee to be entirely inefficacious, and calculated to introduce confusion and discord into the whole church, and instead of mitigating, to enhance the evils which it proposes to remove; regarding the plan proposed by themselves, with the modification thereof as before stated, as presenting in general the only safe, certain, and constitutional mode of division, the subscribers do respectfully submit the same to the Assembly for their adoption or rejection." See McElroy's Report, p. 50.

From the report of the committee of the majority, it will be seen that they very *significantly* objected "to the breaking up of the succession of this General Assembly." From their report and the papers that they submitted to the other portion of the committee, it will also be seen, that their propositions in relation to "*the succession*," and the church property were stated in language well calculated to deceive the unsuspecting.

It will, however, be seen that the attempt at an amicable adjustment failed because they wanted every thing made sure to them and nothing secure to the others—claiming for themselves exclusively *the succession* of the Presbyterian church.

The consequence of such a division to the Constitutional party would have been to make them at once *seceders* from the church of their fathers—a church to whose constitution and principles they were determined to adhere. And

by such a course they would have excluded themselves from all legal claim to the property of the church.

But there were other considerations of weightier value with the Constitutional party than dollars and cents. Indeed had there been no other interests involved, it is believed, they would have relinquished their just claim to their share of the property. But there were other interests—their honesty, their consistency, their christian reputation, their zeal for the church, their usefulness. They could not consent, without a struggle, to be unjustly branded *heretics* or *seceders* from a church they were as ardently attached as those were who would exclude them. They were unwilling to be cut off and disfranchised, and then covered with such reproaches as “*no Presbyterians*”—“*false and deceivers*”—“*enemies to the Presbyterian church,*” &c.

The reader, however, must judge which party was to blame for the failure in this attempt at an amicable adjustment of conflicting claims.

When the effort for an amicable separation failed, Mr. Breckinridge the same morning, according to his declaration in the committee of ten, offered a resolution to cut off the Synod of the Western Reserve. The work of excision then progressed, until they cut off “a sufficient number of Synods from the General Assembly to secure thereafter, in that body, the preponderance of the Old School.”

The next attempt at an amicable adjustment was while the two parties were in Convention, before the meeting of the Assembly in 1838.

On the 15th of May, 1838, the Constitutional convention sent the following proposal to the Reform convention, viz.:

“*Resolved*, That while we regard with deep sorrow the existing difficulties in our beloved church, we wou'd fondly hope, that there are no insurmountable obstacles in the way of averting the calamities of a violent dismemberment, and of securing such an organization as may avoid collisions, and secure the blessings of a perpetuated harmonious action.

“*Resolved*, That we are ready to co-operate in any efforts for pacification, which are constitutional, and which shall recognise the regular standing and secure the rights

of the entire church ; including those portions which the acts of the last General Assembly were intended to exclude.

“ *Resolved*, That a committee of three be now appointed, respectfully to communicate the foregoing resolutions to those commissioners, now in session in this city, who are at present inclined to sustain the acts of the last General Assembly, and enquire whether they will open a friendly conference for the purpose of ascertaining if some constitutional terms of pacification may not be agreed upon.” See Cincinnati Journal, 28th of June, 1838.

To this communication the Reform Convention returned the following answer, viz.:

“ The committee on the communication from the meeting of commissioners, now in session in the lecture room of the First Presbyterian Church, presented the following preamble and resolutions, which were adopted, viz.:

“ Whereas, the resolutions of the meeting, whilst they profess a readiness to, co-operate in any efforts for pacification, which are constitutional, manifestly proceed upon the erroneous supposition, that the acts of the last General Assembly, declaring the four Synods of the Western Reserve, Utica, Geneva, and Genesee, out of the ecclesiastical connection of our church, were unconstitutional and invalid, and the convention cannot for a moment consent to consider them in this light ; therefore,

“ *Resolved*, unanimously, that the convention regard the said overture of the said meeting, however intended, as founded upon a basis which is wholly inadmissible, and as calculated only to disturb that peace of our church, which a calm and firm adherence to those constitutional, just and necessary acts of the last General Assembly, can alone, by the blessings of Divine Providence, establish and secure.

“ *Resolved*, That in the judgment of the convention, the resolution of the last General Assembly, which provides, in substance, “ that all the churches and ministers within the said four Synods, which are strictly Presbyterian in doctrine and order, and wish to unite with us, may apply for admission into those Presbyteries belonging to our connection which are most convenient to their respective locations ; and that any such Presbytery as aforesaid, being strictly Presbyterian in doctrine and order, and now

in connection with any of the said Synods, as may desire to unite with us, are directed to make application, with a full statement of their case to the next General Assembly, which will take order therein, furnishes a fair and easy mode of proceeding, by which all such ministers, churches, and Presbyteries within the said Synods, as are really desirous to be recognized as in regular standing with us, and as proper parts of our entire church, may obtain their object without trouble and without delay." See Cincinnati Journal, June 28th, 1838.

The reader, by comparing these two communications, will be able to see which party was most desirous to have an amicable adjustment. The Reformers took umbrage at the word "*constitutional*." Hence they regarded the overture "as calculated only to disturb" the peace of the church. They seemed to think that their plan of *excision and division and seizure of the property of the entire church*, was the only way to peace. They would not allow any overture for a friendly arrangement to disturb the peace of the church. The plain meaning of all was—our plans must not be disturbed; and if you will just agree to let us cut off Synods enough to secure to us forever hereafter a majority, and to complete the reformation and division of the church thus "auspiciously begun," and secure the property to which your party has forfeited its title, then, by the blessings of Divine Providence, we will have peace!!

The two parties had not yet separated, yet nearly all prospect of conciliation, or of an amicable division was foreclosed.

But when the Assembly met and the parties had separated, by the organization of two Assemblies, the Constitutionalists were still desirous for an amicable adjustment. Accordingly the Constitutional Assembly, on the 24th of May, 1838, passed the following resolution, viz.:

"*Resolved*, That this body is willing to agree to any reasonable measures tending to an amicable adjustment of the difficulties existing in the Presbyterian church, and will receive and respectfully consider any propositions which may be made for that purpose." See Cincinnati Journal, June 28th, 1838.

“ Besides these overtures for peace, influential members of the Assembly held personal conference with the members of the Reform body, till it was ascertained that there was no hope of an amicable settlement of differences.” See Pastoral Letter of the Constitutional Assembly of 1838.

What then could the Constitutional party do? One of two things they were obliged to do; either *submit unconditionally* to the Reformers—or “ appeal to Cæsar,” to know if he would allow one portion of a church to disfranchise the other. They chose the latter alternative; and the Trustees of the Assembly instituted suit against the Trustees of the New Basis Assembly.

But before the trial came on, the Constitutional party were still anxious for an amicable arrangement, as will appear from the following facts:

“ In the Assembly, which met in the First Church, May 20th, 1839, Judge Darling, from the committee of twelve, appointed on the 21st of May, 1838, “ to advise and direct in respect to any legal questions and pecuniary interests that might require attention during the ensuing year,” reported that previous to the trial before Judge Rogers, at Nisi Prius, the committee were informed by one of their counsel, that John R. Kane, Esq., one of the Trustees of the General Assembly, and who was of counsel for the respondents, had stated to him, that those he represented were disposed to adjust, amicably and equitably, all matters in controversy in this cause, and had requested him to ascertain what terms the committee would propose, as a basis for an amicable division of the Presbyterian church, and the final adjustment of all the matters in dispute between the Reformed and Constitutional General Assemblies. Keeping in view the resolution of the General Assembly of 1838, viz.: “ That this body is willing to agree to any reasonable measures tending to an amicable adjustment of the difficulties in the Presbyterian church, and will receive and respectfully consider, any propositions made for that purpose”—they waived all exceptions which might have been taken to enter into negotiation with, or to making propositions to, an irresponsible individual, and promptly requested their counsel to furnish Mr. Kane with a copy of the following articles:

ARTICLES OF AGREEMENT PROPOSED.

“ In order to secure an amicable and equitable adjustment of the difficulties existing in the Presbyterian church in the United States of America, it is hereby agreed by the respective parties, that the following shall be articles on which a division shall be made and continued.

ART. 1. The successors of the body which held its sessions in Ranstead Court, shall hereafter be known by the name and style of the General Assembly of the Presbyterian church in the United States of America. The successors of the body which held its sessions in the First Presbyterian church, shall hereafter be known by the name and style of “ The General Assembly of the American Presbyterian church.”

ART. 2. Joint application shall be made by the parties to this agreement, to the Legislature of Pennsylvania, for a charter to incorporate Trustees of each of the respective bodies, securing to each the immunities and privileges now secured by the existing charter to the Trustees of the General Assembly of the Presbyterian church in the United States of America; subject nevertheless, to the limitations and articles herein agreed on; and when so obtained, the existing charter shall be surrendered to the State.

ART. 3. Churches, ministers, and members of churches, as well as Presbyteries, shall be at full liberty to decide to which of the said Assemblies they will be attached; and in case the majority of legal voters of any congregation shall prefer to be connected with any Presbytery connected with the Assembly to which their Presbytery is not attached, they shall certify the same to the stated clerk of the Presbytery, which they wish to leave, and their connection with said Presbytery shall henceforth cease.

ART. 4. The Theological Seminary of Princeton, the Western Theological Seminary, the Board of Foreign Missions, the Board of Domestic Missions, the Board of Education with the funds appertaining to each, shall be the property and subject to the exclusive control of the body which, according to this agreement, shall be chartered under the title of ‘ the General Assembly of the Presbyterian church in the United States of America.’

This agreement shall not be considered a secession, on the part of either body, from the Presbyterian church in the United States of America, but a voluntary and amicable division of this church into two denominations, each retaining all the ecclesiastical and pecuniary rights of the whole body, with the limitations and qualifications in the above articles specified."

The only reply which the committee received to these propositions was, that they could not be accepted, but that the Old School party would agree that the members of the Constitutional General Assembly, and all who adhered to this General Assembly, should be at liberty to leave the Presbyterian church without molestation from them, and that they should not be called *seceders*. See McElroy's Report, pp. 6, 7.

From the documents already given, it will be seen that the Constitutional party made several overtures for an amicable adjustment, and that all their overtures were promptly rejected by the Reformers.

On the other hand, nothing like an overture was made by the Reformers, except some resolutions which they adopted in 1839, *after* they were induced by the opinion of Judge Gibson to consider the property all their own.

The principles of these resolutions are set forth in the third, viz.:

"The Trustees of the Assembly are hereby authorized and requested to do on the part of this Assembly, should occasion offer, whatever is lawful, competent, and equitable in the premises, conformable to the principles and in the manner heretofore laid down in the minutes of this Assembly for 1837 and 1838, so far as relates to the corporate property of the church, and any equities springing out of the same."

The phraseology of this resolution ought to be marked. The Trustees are authorized to do what is "*lawful,*" &c., "*conformable to the principles, and in the manner heretofore laid down in the minutes of this Assembly for 1837 and 1838.*" But what were "*the principles*" laid down in 1837 and 1838? They were these: *Minorities of Synods, Presbyteries and churches were to be considered the bodies, in cases where the majorities fail to adhere upon the basis of 1837 and 1838.*

It is true they said in the Reform Ordinance of 1838 : " In regard to the temporal interests of the churches and the difficulties which may arise on their account, the Assembly advise that, on the one hand, great liberality and generosity should mark the whole conduct of our people, and especially in cases where our majorities in the churches are very large, or our minorities very small : while on the other hand, it would advise, that providential advantages, and important rights, ought not in any case to be lightly thrown away."

What was meant by "*providential advantages and important rights*" is uncertain. The language is ambiguous.

The intelligent reader can now decide for himself which party was "*willing and anxious to have an amicable adjustment,*" and which party was to be blamed for the "*un-christian appeal to the civil courts.*"

CHAPTER XXIV.

RESULTS OF LEGAL INVESTIGATION.

As all the efforts of the Constitutional party for an amicable adjustment of difficulties were unsuccessful, no alternative was left but to bring suit against the Reformers, who had all the chartered funds of the General Assembly in their possession.

The suit was instituted in the Supreme Court of Pennsylvania, in July, 1838.

The case was taken up in March, 1839, the Hon. Milton C. Rogers presiding. The trial occupied twenty days.

After the Judge had given his charge to the jury, they, after a short absence, returned and rendered a verdict for the Constitutional party.

There are some points in the charge of Judge Rogers, which should be noticed.

It had been urged by the Reformers that the Plan of Union of 1801 was unconstitutional; and upon this assumption they based the excinding acts. But here the Judge was against them. He says: "So far from believing the Plan of Union to be unconstitutional, I concur fully with one of the counsel, that, confined within its legitimate limits, it is an agreement or regulation, which the General Assembly not only had power to make, but that it is one which is well calculated to promote the best interests of religion."

The Judge asserts that if the Plan were unconstitutional, there is no evidence that the excinded Synods were formed under it. He says: "The compact, as has been

before observed, was intended for a different purpose, and imposed on the Presbyterian church no obligation to admit churches formed on the Plan, as members. It was a voluntary act, and not the necessary result of the agreement; nor does it appear that the Presbyteries were formed and incorporated with the church on any other terms or conditions than other Presbyteries, who were in regular course taken into the Presbyterian connection."

It was the opinion of the Judge, that in the excising process, "*the substantial forms of justice*" were not observed. He says: "But so far from this, the General Assembly, in the plenitude of its power, has undertaken to exclude from all their rights and privileges twenty-eight Presbyteries, who are its constituents, without notice, and without even the form of trial. By the resolutions, the commissioners, who had acted as members of the General Assembly for two weeks, were at once deprived of their seats. Four Synods, twenty-eight Presbyteries, five hundred and nine ministers, five hundred and ninety-nine churches, and sixty thousand communicants, were at once disfranchised and deprived of their privileges in this church. This proceeding is not only contrary to the eternal principles of justice, the principles of the common law, but it is at variance with the constitution of the church."

Nor would he admit that the excision was a *legislative* act. His language is: "This is not in the nature of a *legislative*, but it is a *judicial* proceeding to all intents and purposes. It is idle to deny that the Presbyteries within the infected districts, as they are called, were treated as enemies and offenders against the rules, regulations, and doctrines of the church."

The Judge goes on to say, in reference to the plea, that the excision was *legislative*—But admitting this to be in the nature of a legislative proceeding, still it is void; for I deny the right of any legislature to deprive an elector of his right to vote, either with or without trial. This is a power which can only be exercised by a judicial tribunal, who act under the sanction of an oath, who examine witnesses on oath, and who conform to all the rules of evidence established by the usages of law."

After deciding that the Plan of Union was not unconstitutional, and that the excinding acts of 1837, "*were unconstitutional, null and void,*" he proceeds to decide several important points in the proceedings of the Assembly of 1838.

He decided "that the commissioners from the Presbyteries, within the bounds of these Synods, had the same right to seats in the General Assembly as the members from the other Presbyteries within the jurisdiction of the Assembly."

It was the opinion of the Judge, that Dr. Elliot, the moderator, in declaring the appeal of Dr. Mason *out of order*, was chargeable with "*a usurpation of authority.*"

It was also the opinion of the Judge "that the General Assembly has a right to depose their moderator upon sufficient cause."

And on the subject of Mr. Cleaveland's alleged irregularity, in putting the question to the house for a new moderator, the Judge says: "It is the opinion of the Court, that a member, although not an officer, is entitled to put a question to the house in such circumstances."

In reference to the objections often urged against the want of some of the usual forms, the Judge says: "That the fact that Mr. Cleaveland put the question, instead of the moderator, the cries of order when this was in progress, the omission of some of the formula usually observed when there is no contest and no excitement, such as standing in the aisle instead of taking the chair occupied by the moderator, not using the usual insignia of office, putting the question in an unusual place, and the short time consumed in the organization of the house, and three or more members standing at the same time, will not vitiate the organization, if you should be of the opinion that this became necessary from the illegal and improper conduct of the adverse party."

Judge Rogers' charge to the jury contains, in addition to a clear and lucid exposition of constitutional and common law, a concise and pretty accurate history of the whole controversy. It may be seen in McElroy's Report of the Church Case, pp. 506, 529.

The result of the trial has already been stated. After a long and patient hearing, the verdict of an impartial jury was for the Constitutional party.

The Old School had hitherto been very clamorous against Christians appealing to Cæsar. Indeed, they showed a great unwillingness to have their acts reviewed by a civil tribunal. Messrs. Breckinridge, Plumer, &c. declared that they would not submit to such a review, because it would be rendering to Cæsar the things that are God's. But it has always been true that men, who are chargeable with wrong-doing, do not love the civil courts.

When, however, the decision of the Court went against them, they soon changed their minds, and with great haste they themselves appealed to Cæsar. Their Counsel moved the Court in Bank for an order for a new trial. The order was granted and the majority of the Court in granting the order gave an opinion, through Chief Justice Gibson, adverse to the decision under Judge Rogers.

A few points in the opinion of Judge Gibson are worthy of notice.

The Reformers had based their excision upon the unconstitutionality of the Plan of Union of 1801. But Judge Gibson concurred in opinion with Judge Rogers that the Plan was constitutional.

Judge Rogers in his charge has said that the excinded "were treated as enemies and offenders against the rules of the church, and that the act of excision was a '*judicial*' proceeding to all intents and purposes." But here Judge Gibson gives a different opinion. He says: "The sentence of excision, as it has been called, was nothing else than an ordinance of dissolution." This, however, was an apology too flimsy even for the Reformers. They know, and so does every one acquainted with Presbyterianism, that to dissolve and excind are very different things. A Synod may dissolve a Presbytery, or the General Assembly may dissolve a Synod. But the dissolution never throws the members out of the church. It only changes their Presbyterial or Synodical relation. Excision, however, is a turning out, or a cutting off from the church. It is excommunication to all intents and purposes.

The Synods were cut off. Judge Gibson says it was "*a legislative act.*" Judge Rogers says it was "*a judicial proceeding.*" Well, the thing was done. The enormity of the act was great, call it by what name you may.

But Judge Gibson, whose opinion strongly favored the Reformers, was very unwilling that the excision should be called a *judicial* act. His language is: "Now, had the excinded Synods been cut off by judicial sentence, without hearing or notice, the act would have been contrary to the cardinal principles of natural justice, and consequently void. But, though it was at first resolved to proceed judicially, the measure was abandoned; probably because it came to be perceived that the Synods had committed no offence."

Behold the potency of a name or word! Hundreds of ministers and thousands of members "were treated as enemies and offenders against the rules" of the church, and were cut off. Now, according to Judge Gibson, if you call the proceeding "*legislative*" all is well. But call it "*judicial*," and the act is "contrary to the cardinal principles of natural justice."

But the Judge is of opinion that they were not proceeded against *judicially*, as at first proposed, "because it came to be perceived that the Synods had committed no offence." But this is an explanation the Reformers would not receive. The plan of a fair and legal trial was abandoned because it was thought to be "*tedious and troublesome*."

In reference to the two organizations, when the Assembly divided, Judge Gibson gave a different opinion from the decision under Judge Rogers. The great question before the jury was, which body organized according to the established order? The decision under Judge Rogers was that the Constitutional Assembly was the true General Assembly. Judge Gibson was of a different opinion. Among other things, he objected to the Constitutional Assembly's organization, because that the old moderator, though refusing to do his duty, was removed. He says: "But he was not removeable by them, because he had not derived his office from them; nor was he answerable to them for the use of his power. He was not *their* moderator. He was the mechanical instrument of their organization; and till that was accomplished they were subject to his rule—not he to theirs."

The necessity for such a procedure had not before been forced upon the Assembly. But that Judge Gibson's opin-

ion, in reference to the duties and powers of a presiding officer, is not the opinion of deliberative bodies, is evident not only from the measures of the Constitutional Assembly in its organization, but from the action of Congress since, in a similar case as mentioned in the 20th Chapter of this history. And would Judge Gibson say, that the 26th Congress was not constitutionally organized, because, on motion of Mr. Adams, the presiding officer was removed and another put in his place?

There were many other points in the opinion of the Judge adverse to the claims of the Constitutional party. They can be seen in the opinion, in McElroy's Report, pp. 620—628.

The order for a new trial, as already stated, was granted. But before the trial came on, the Constitutional party instructed their counsel to withdraw the suit.

The results, therefore, of these legal investigations in the Supreme Court of Pennsylvania, are briefly these: Judge Rogers, in the first trial, charged the jury in favor of the Constitutional party, and the jury gave a verdict for them. The Reformers made a motion for a new trial—the order was granted, the Court in Bank giving an opinion adverse to the Constitutional party, by whom the suit was then withdrawn.

In another suit in Pennsylvania, which was brought up by appeal to the Supreme court, Judge Gibson took occasion to explain more fully the principles upon which, in the former suit, his opinion had been given in favor of the Reformers. This will be noticed in giving a statement of the case alluded to—the suit at York, in Pennsylvania.

The church property at York was of some value. The Reform part of the church brought suit against the Constitutional party. It was tried before Judge Hoys, and the jury gave a verdict for the Constitutional party.

The opinion of Judge Gibson, in the former suit had been a matter of great exultation to many of the leading Reformers. And the party at York no doubt felt confident that if they could get the suit before Judge Gibson, he would reverse the decision of the lower court. But to the astonishment of the party, he affirmed the decision, and gave the property to the Constitutional party. Judge Gib-

son's opinion in this case may be seen in the *Christian Observer* of the 25th January, 1841.

In this opinion the Judge takes occasion to explain some points in his former opinion that had been misapprehended by the Reformers. They had taken it for granted, that they were to be considered the only true Presbyterians, and their Assembly the only true Assembly—and that the New School had forfeited name, rights, property and all. But the Judge now corrects this misapprehension. He says that the order for a new trial, in the former case, was granted not because the Old School "*were more Presbyterian than the New*"—but because the Old School were at the time "*the stronger party.*"

According, then, to this opinion, if the New School in 1831, 32, 33, 34, or 36, when they were *the stronger party*, had excinded the Old School and seized upon the funds, the property would justly be theirs. Such a decision, upon such principles, to say the least of it, puts but little honor upon laws and constitutions.

The Judge, however, says that if the New School had taken such a course it "would have loaded the New School party with such a weight of popular odium as would have sunk it." This to be sure was administering a keen rebuke to the Reformers.

The advocates of excision had contended that the measure was a necessary expurgation, and that those who united with the excinded were seceders; and they supposed that Judge Gibson in the former instance had sanctioned that view of the case. But the Supreme Court, in the York church case, deny that they sanctioned such a view. They say that they "did not determine that the excision was expurgation and not division." They go further in characterizing the excision. They say: "Indeed the measure would seem to be as *decisively revolutionary* as would be an exclusion of particular states from the Federal Union for the adoption of an anti-republican form of government."

In this final decision in the Supreme Court of Pennsylvania, the opinion was clearly expressed that the New Basis acts were measures "not of expurgation but of *division*"—not of reform, but of revolution—not a rooting out

of Congregationalism, but a dismemberment of the Presbyterian body"—not "merely a secession of particles leaving the original mass itself entire, but the original mass was split into two fragments." And did the court say that one party was truly Presbyterian and the other was not? No. They consider the New School as much Presbyterian as the Old School—"each so like its fellow as to pass for its twin brother." They decided that the claims of the New School in the former suit were as strong as those of the Old School with one exception, and that accidental, viz.: that at the time of the revolution or excision, the Old School were the stronger party—having a majority of six in an Assembly of two hundred and fifty.

There have been a few other suits, the results of which must be very briefly noticed.

The Reform party, a minority in the Neshamony church, in the State of Pennsylvania, made an effort to obtain the church property; but they were unsuccessful.

The Reform party, a minority in the Presbyterian church, in Florida, in the State of New York, claiming to be the only true Presbyterians, because of their adhesion to the New Basis, brought suit for the property. They were heard at length in the Chancery Court of that State. But their claims were defeated by the decision of the Vice Chancellor protecting the rights and property of the Constitutional party.

Another suit of the same character was brought by the Reform party in the church of Somers, in the State of New York. They informed the Constitutional party, that they were the only true Presbyterians, and that they must have the church property—house, parsonage, &c. The constitutional party, who were the majority, proposed that the two parties should use the church alternately, and that the question concerning property should be settled by compromise. But the Reform party would not compromise. The clerk of the congregation being on their side, they took possession of records, church, parsonage and all. Being secure, as they thought, they leased the parsonage to a tenant, and lay quietly "within the fortifications of the New Basis."

The old trustees had no other alternative left, but to decide the matter by a law-suit. They commenced an action of *ejectment* for the parsonage. After a patient hearing, the jury gave a verdict for the Constitutional party without leaving their seats.

I have now briefly given the results of all the legal investigations of which I have certain knowledge. Except the order for a new trial in one case, all the decisions go to vindicate the claims, rights and characters of the Constitutional party.

And now, dear reader, I have gone through with all I intended to present to you on the subject of the Presbyterian controversy. In presenting this history of events, I was desirous that you should see how the matter was viewed by both parties. I have presented to you the results of ecclesiastical and legal investigations. These results have vindicated the rights and characters of the Constitutional party; and it is believed that public sentiment approves the noble vindication.



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