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Presbyterian government

PRESBYTERIAN GOVERNMENT

BY

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NASHVILLE, TENN.

THE CUMBERLAND PRESS

1907

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A PRELIMINARY WORD.

The publication of this little book has been occasioned (1) by experience acquired in the lecture room, in reviewing theological students in the outlines of Presbyterian polity, and (2) in answering questions propounded by presbyters from the field of practical work. It has been the purpose to condense into a "Vest-Pocket" size, the main points in Presbyterian law and usage, constantly arising in administering the affairs of the Church.

It is not the purpose, however, that this unpretentious little volume should be substituted for exhaustive treatises on Presbyterian polity; but, on the other hand, it is hoped that the use of these pages may stimulate a desire to consult other books, in which the various subjects are treated at greater length. Special mention should be made of the following books, all of which are earnestly recommended.

1. "The Presbyterian Digest of 1907." This book is indispensable to the student of our Presbyterian polity. Price, \$3.50, net, postpaid.

2. "What Is Presbyterian Law as Defined by the Church Courts?" This book, by Dr. J. A. Hodge, is a very able and clear treatise on the entire subject. Price, \$1.75, postpaid.

3. "Manual of Presbyterian Law and Usage." Dr. B. F. Bittinger has condensed a surprising amount of well-classified information into a very small compass. Price, 75 cents, postpaid.

4. "A Manual for Ruling Elders." Dr. Wm. H. Roberts, Stated Clerk of the General Assem-

bly, has prepared this book, a copy of which should be in the hands of the clerk of every Session for use in that body. With a copy of this excellent volume at hand, no Session need blunder in the performance of their duty. Price, \$1.10, postpaid.

5. "The Book of Common Worship." This book, prepared "for voluntary use" by a committee under appointment by the General Assembly, will be found very helpful in forms for various purposes. Price, 35 cents, postpaid.

6. "Laws Relating to Religious Corporations." This large volume was prepared under the direction of the General Assembly, by Dr. Wm. H. Roberts, "being a collection of the general statutes of the several states and territories for the incorporation and management of churches, religious societies, Presbyteries, Synods, etc." In this work the answers will be found to many questions of a legal nature, which are constantly arising. Price, \$3.00, net postpaid.

JOHN V. STEPHENS.

Theological Seminary,

Lebanon, Tenn., Sept. 16, 1907.

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ABBREVIATIONS.

A. G. A.	designates	the "Acts of the General Assembly."
A. R.	"	Additional Rules (Judicatories).
Bittinger	"	"Presbyterian Law Usage."
B. D.	"	Book of Discipline.
C. F.	"	Confession of Faith.
C. R.	"	Constitutional Rules.
Digest	"	Presbyterian Digest 1907.
Digest, 1886	"	Presbyterian Digest 1886.
D. W.	"	Directory for Worship.
F. G.	"	Form of Government.
G. A.	"	General Assembly.
G. R. J.	"	General Rules for Judicatories.
Hodge	"	"What is Presbyterian Law?"
L. C.	"	Larger Catechism.
M. G. A.	"	Manual of the General Assembly.
Min. G. A.	"	Minutes of the General Assembly.
N. S.	"	New School.
O. S.	"	Old School.
Roberts	"	"Manual for Ruling Elders."
S. C.	"	Shorter Catechism.

CHAPTER I.

Presbyterian Government.

"It is absolutely necessary that the government of the Church be exercised under some certain and definite form. And we hold it to be expedient, and agreeable to Scripture and the practice of the primitive Christians, that the Church be governed by congregational, presbyterial, and synodical assemblies. In full consistency with this belief, we embrace, in the spirit of charity, those Christians who differ from us, in opinion, or in practice, on these subjects."—F. G., Ch. VIII, Sec. 1.

There are four grades of courts in the Presbyterian Church in the United States of America. These are the Session, the Presbytery, the Synod, and the General Assembly. In the operation of these Church courts, the following regulations, for the most part, are common to all.

I. MODERATOR.—"It is equally necessary in the judicatories of the Church, as in other assemblies, that there should be a moderator or president; that the business may be conducted with order and dispatch."—F. G., Ch. XIX, Sec. 1. Read also section 2, which shows that the moderator possesses his "authority" to preside "by delegation from the whole body."

See General Rules for Judicatories, IV-VIII, this work, Chapter VII.

"In appointing the standing committees, the moderator may appoint a vice-moderator, who may occupy the chair at his request, and otherwise assist him in the discharge of his duties."—G. R. J., VII.

The Moderator does not have a double vote, i. e., one as a member of the judicatory, and another as Moderator.—Digest, p. 262.

II. CLERK.—"Every judicatory shall choose a clerk, to record their transactions, whose continuance shall be during pleasure."—F. G., Ch. XX. "The Constitution knows nothing of the Temporary Clerk as distinguished from the Stated Clerk. As far as any provision of the 'Book' is involved, it is plain that a judicatory may select any convenient person, though not a member, to record its transactions, and discharge all other duties pertaining to a clerk."—Digest, p. 188.

In answering a memorial, in 1893, the Assembly refused to fix "a time limit" for the service of clerks of the various judicatories.—Digest, p. 586; in 1900, it refused "to make any change in the tenure of the offices of [its] Stated and Permanent Clerks."—Digest, p. 985.

III. RECORDS.—"It shall be the duty of the clerk, besides recording the transactions, to preserve the records carefully; and to grant extracts from them, whenever properly required: and such extracts, under the hand of the clerk, shall be considered as authentic vouchers of the fact which they declare, in any ecclesiastical judicatory, and to every part of the Church."—F. G., Ch. XX.

1. Subject to review.—"All proceedings

of the Session, the Presbytery, and the Synod (except as limited by chapter xi, section 4, of the Form of Government), are subject to review by, and may be taken to, a superior judicatory, by general review and control, reference, complaint or appeal."—B. D., Sec. 70. Read also B. D., Secs. 71-76.

2. Approved.—"A record, once approved by a higher court, cannot be altered or annulled by a lower one. If there be an error in the record, the remedy is to be sought by an application to the highest judicatory that has endorsed such mistake."—Digest, p. 174.

IV. A QUORUM.—"The law of a quorum is not a mere rule of procedure, a provision of order, but a matter respecting the very being of the judicatory. Any number of members less than a constitutional quorum do not make a judicatory, and are not competent to any organic act."—Digest, p. 160.

"If a quorum be assembled at the time appointed, and the moderator be absent, the last moderator present, being a commissioner, or, if there be none, the senior member present, shall be requested to take his place without delay, until a new election."—G. R. J., II.*

"If a quorum be not assembled at the

*While this rule is especially applicable to the Assembly, it has been recommended "to all the lower judicatories." So by analogy, in the absence of the moderator of the Synod or Presbytery, the last moderator present, being a member, would preside, or if there be none, then the oldest member present, until an election, unless the judicatory order otherwise.

hour appointed, any two members shall be competent to adjourn from time to time, that an opportunity may be given for a quorum to assemble."—G. R. J., III.

V. PRAYER.—It is provided that each "session" of the Presbytery, the Synod, and the Assembly "shall be opened and closed with prayer." "A single session of a judicatory is understood to be a single sitting, or the sitting of a single day when continued, even though interrupted by a recess or recesses."—Digest, p. 971. (See A. R., 21.) If "an ecclesiastical court has been opened by devotional exercises this shall be a sufficient substitute for an opening prayer."—Digest, p. 977.

VI. PRIVATE SESSIONS.—"All judicatories have a right to sit in private, on business, which in their judgment ought not to be matter of public speculation."—G. R. J., XXXVIII.

"In all cases of judicial process, the judicatory may, at any stage of the case, determine, by a vote of two-thirds, to sit with closed doors."—B. D., Sec. 31.

VII. INTERLOCUTORY MEETINGS.—"Besides the right to sit judicially in private, whenever they think proper to do so, all judicatories have a right to hold what are commonly called 'interlocutory meetings,' in which members may freely converse together, without the formalities which are usually necessary in judicial proceedings."—G. R. J., XXXIX. See this work, Chapter VIII, 5, "Committee of the Whole."

VIII. FINAL CLOSING OF SESSIONS.—"The moderator of every judicatory above the church Session, in finally closing its

sessions, in addition to prayer, may cause to be sung an appropriate psalm or hymn, and shall pronounce the apostolical benediction."—G. R. J., XLIII.

IX. WARNING.—"A judicatory may be solemnly called upon to warn the churches under its care, and especially the rising generation, against an erroneous book while the author may not be within their bounds, or immediately responsible at their bar, and while, even if he were thus responsible and within their reach, they might not think it necessary to arraign him as a heretic. To deny our judicatories, as guardians of the churches, this right would be to deny them one of the most precious and powerful means of bearing testimony against dangerous sentiments, and guarding the children of the Church against 'that instruction which causeth to err.'"—Digest, p. 156.



CHAPTER II.

The Particular Church.

"A particular church consists of a number of professing Christians, with their offspring, voluntarily associated together, for divine worship and godly living, agreeably to the Holy Scriptures; and submitting to a certain form of government."—F. G., Ch. II, Sec. 4.

"The Church being divided into many separate congregations, these need mutual counsel and assistance, in order to preserve soundness of doctrine, and regularity of discipline, and to enter into common measures for promoting knowledge and religion, and for preventing infidelity, error, and immorality."—F. G., Ch. X, Sec. 1.

"The particular church is the primary organic unit in that system of church government which has been adopted by Presbyterians. Its organization, by the voluntary association of a number of believers, is the first step in the efficient extension and practical operation of the Presbyterian polity. Though governed by the Session, it elects both pastor, elders and deacons. It is the reason why Presbytery as a judicatory exists."—Roberts, p. 314.

Church versus congregation.—"In our 'Form of Government' the word 'congrega-

tion' is sometimes used for an organized church, but often a distinction is made between the church and the congregation. The former is composed of believers and their children under regularly-ordained officers. The congregation is sometimes used, as in the 'Directory' for Worship,' ch. i, to designate those who assemble in one place for public worship; and sometimes, as in the 'Form of Government,' ch. xv, the church, together with those who contribute to the support of the work of the church, and, according to the custom, or the charter of the particular church, or the laws of the State, form a recognized body, with certain powers, chiefly in relation to the holding of property. By our 'Form of Government' every communicant of the church is a member of the congregation, and has a voice in everything that comes before it; but the usage or charter of the particular church may determine who else may be members of the congregation—sometimes the heads of families, or all male contributors, or all persons who do anything for the support of the church, and in some cases only those males who are admitted by vote and who sign articles of association. The congregation, thus composed, can, of course, have no spiritual jurisdiction, but can consider questions of property and such matters as the 'Form of Government' may refer to it, as the choice of a pastor."—Hodge, p. 35. See Digest, p. 878.

I. ORGANIZATION.—"A particular Presbyterian church, so far as adults are concerned, is constituted and organized as such, by a number of individuals, profess-

ing to walk together as the disciples of Jesus Christ, on the principles of the Confession of Faith and Form of Government of the Presbyterian Church, and the election and ordination of one or more ruling elders, who, by the ordination service, become the spiritual rulers of the persons voluntarily submitting themselves to their authority in the Lord."—A. G. A., VIII, 3.

See also A. G. A., VIII, 4 (1).

1. Application to Presbytery.—"This organization ought always to be made by application to the Presbytery, within the bounds of which the church to be organized is found."—A. G. A., VIII, 3. "It is not the prerogative of a minister of the gospel to organize churches without the previous action of some Presbytery directing or permitting it; since in Form of Government, ch. x, sec. 8, to form new congregations is enumerated among the powers of a Presbytery, and since in ch. iv, 'Of Bishops or Pastors,' no mention is made of any such power being lodged in the hands of an individual minister."—Digest, p. 217.

Yet in "exceedingly inconvenient" cases "a duly authorized missionary" may effect organizations of new churches.—A. G. A., VIII, 3. But in well organized Presbyteries, the Presbytery should reserve this right to itself.

"No church shall be organized by a missionary within the limits of any Presbytery, unless authority has been previously obtained from the Presbytery."—Digest, p. 217.

2. Elders and deacons.—"The first act of the newly organized church should be the

election, under the supervision of the committee of Presbytery, of ruling elders and deacons. The committee should at once appoint a minister of the Presbytery as moderator of the Session, until the church shall elect a pastor, and the Presbytery takes further action. The Committee of Presbytery should carefully consider the character and other qualifications of every candidate for ruling elder or deacon, and should discountenance the election or ordination of those who appear unsuitable. When, however, proper persons cannot be found among the communicants for church officers, all the facts should be reported to Presbytery, which should regard the organization as potentially a church, and therefore entitled to enrollment and supervision; but as imperfect in its condition, being disqualified, lacking the proper officers, from exercising government and discipline, and from representation in the judicatories of the Church. The Presbytery should therefore appoint a Special Committee to take the oversight of the church."—A. G. A., VIII, 4.

II. OFFICERS.—"The ordinary and perpetual officers in the Church are bishops or pastors; the representatives of the people, usually styled ruling elders; and deacons."—F. G., Ch. III, Sec. 2.

"That though the character, qualifications, and authority of church officers, are laid down in the Holy Scriptures, as well as the proper method of their investiture and institution; yet the election of the persons to the exercise of this authority, in any particular society, is in that society."—F. G., Ch. I, Sec. 6.

1. The Pastor.—"The pastoral office is the first in the Church, both for dignity and usefulness. The person who fills this office, hath, in Scripture, obtained different names expressive of his various duties."—F. G., Ch. IV. "The General Assembly deems it important to reiterate and enforce the doctrine of our Standards in regard to the pastoral relation, as the scriptural, apostolic, and permanent order for the edifying of the body of Christ and the extension of saving influences throughout the world."—Digest, p. 144.

(1) Choosing a pastor.—"It is the custom in some congregations, when they are vacant, for the Session to call a meeting of the congregation, and to request the appointment of a committee to have charge of the matter of securing a pastor." Or the Session may "conduct all the preliminary proceedings which have in view the call of a minister to the pastorate. While the power of the Session in this respect cannot be questioned, it is advisable for its members to seek counsel of other persons in the congregation; for the reason that the congregation, and not the Session, have the power of final decision in the election of pastor."—Roberts, pp. 329, 330.

(2) Calling a pastor—"Any church, desiring to call a settled minister from his present charge, shall, by commissioners properly authorized, represent to the Presbytery the ground on which they plead his removal. The Presbytery, having maturely considered their plea, may, according as it appears more or less reasonable, either recommend to them to desist

from prosecuting the call, or may order it to be delivered to the minister to whom it is directed."—F. G., Ch. XVI, Sec. 2. Read the entire section carefully. "When the congregation calling any settled minister is within the limits of another Presbytery, that congregation shall obtain leave from the Presbytery to which they belong, to apply to the Presbytery of which he is a member; and that Presbytery, having cited him and his congregation as before directed, shall proceed to hear and issue the cause."—F. G., Ch. XVI, Sec. 3. Read the whole section. If a licentiate is called, attention should be given to the instructions contained in the Form of Government, Ch. XV, Secs. 9 or 10, as the case may be.

But before a call is prosecuted for any one, the law should be followed, carefully, according to which the congregation is called upon to express itself on the subject, found in the Form of Government, Ch. XV, Secs. 1-5. Hodge, pp. 359-368, and Roberts, pp. 329-340.

(3) Method of subscribing the call.—The call may be "subscribed by the electors."—F. G., Ch. XV, Sec. 5. "But if any congregation shall choose to subscribe their call by their elders and deacons, or by their trustees, or by a select committee, they shall be at liberty to do so. But it shall, in such case, be fully certified to the Presbytery, by the minister, or other person who presided, that the persons signing have been appointed, for that purpose, by a public vote of the congregation; and that the call has been, in all other respects, prepared as above

directed."—F. G., Ch. XV, Sec. 7. "If a committee is appointed to sign the call, some of its members may be women, if the congregation so choose."—Roberts, p. 338.

(4) Installation is necessary to complete the pastoral relation.—See the Form of Government, Ch. XV, Sec. 12, question 8, and Sec. 13. The minister on the one hand and the people on the other, in these sections, publicly confirm their willingness to enter into the pastoral relation. Roberts, p. 347; Hodge, p. 48; Bittinger, Sec. 632; Digest, p. 148.

(5) The installation service.—"When any minister is to be settled in a congregation, the installment, which consists in constituting a pastoral relation between him and the people of that particular church, may be performed either by the Presbytery, or by a committee appointed for that purpose, as may appear most expedient."—F. G., Ch. XVI, Sec. 4.

For the order of the service of the ordination and the installation of a pastor, see F. G., Ch. XV, Secs. 12-14.

For the order of the service of the installation of a pastor who has been previously ordained, see F. G., Ch. XVI, Secs. 4-6; Ch. XV, Secs. 13, 14.

For full beautiful orders for such services see "The Book of Common Worship."

(6) Resigning a pastoral charge.—"The Session has no power to require the resignation of a pastor. It may counsel him that it is best for him to resign, and may call a congregational meeting to consider the subject. The resignation must be to

the Presbytery, and only the Presbytery can accept it."—Roberts, p. 355. "When any minister shall labor under such grievances in his congregation, as that he shall desire leave to resign his pastoral charge, the Presbytery shall cite the congregation to appear, by their commissioners, at their next meeting, to show cause, if any they have, why the Presbytery should not accept the resignation. If the congregation fail to appear, or if their reasons for retaining their pastor be deemed by the Presbytery insufficient, he shall have leave granted to resign his pastoral charge, of which due record shall be made; and that church shall be held to be vacant, till supplied again, in an orderly manner, with another minister: and if any congregation shall desire to be released from their pastor, a similar process, *mutatis mutandis* [the necessary changes being made], shall be observed."—F. G., Ch. XVII, Sec. 1.

Ch. xvi, Sec. 2, of the Form of Government, "provides that where the parties are prepared for the dissolution of a pastoral relation, it may be dissolved at the first meeting of Presbytery."—Digest, p. 578.

"When no other time for its termination is explicitly fixed by the Presbytery" the pastoral relation ceases with "the action of Presbytery dissolving such relations."—Digest, p. 578.

"The custom of appointing a member of the Presbytery to declare the pulpit vacant upon the dissolution of a pastoral relation is to be commended, in that it magnifies the sacredness and importance

of the pastoral relation, but there is no reason why Presbyteries may not exercise their own judgment in each case, as provided in Form of Government, ch. x, sec. 8, 'to order whatever pertains to the spiritual welfare of the churches under their care.'"—Digest, p. 968.

(7) A vacant church.—"Every congregation or church is vacant which has not a pastor duly installed."—Min. G. A., 1895, p. 102. Digest, p. 148.

In 1903, the Assembly affirmed that "every church or congregation is vacant which has not a pastor duly installed or a regular supply appointed by the Presbytery."—Digest, p. 1075.

"It may have a stated supply, who may have served them for several years (an evil to be discountenanced, and terminated as soon as practicable), or it may, with other churches, be statedly ministered unto by a domestic missionary without installation. In either case the church is vacant."—Hodge, p. 187.

"When a church becomes vacant, the Session should apply through its representative to Presbytery, for permission to supply the pulpit until the next stated meeting of that body. 'Under our Constitution, the Presbytery is officially the pastor of every vacant church within its bounds.' Min. G. A., 1891, p. 176."—Roberts, p. 225.

(8) A stated supply. "A stated supply is a minister employed by a church, with the authority of Presbytery, for a definite time or period of service."—Digest, p. 148. "It is sometimes permitted in feeble churches in hopes of uniting the churches,

or that the stated supply may be called as pastor, or in case of the prolonged sickness or absence of the pastor. The stated supply, as such, has no authority in the church, nor a seat or vote in the Session. When the relation of a stated supply to a church is continued beyond the emergency, it is an irregularity, an evil, and is inconsistent with our polity."—Hodge, p. 48. If the stated supply holds his membership in the Presbytery having jurisdiction over the church he serves, he may be appointed by the Presbytery or invited by the Session to act as moderator.

2. The ruling elders.—"Ruling elders are properly the representatives of the people, chosen by them for the purpose of exercising government and discipline, in conjunction with pastors or ministers. This office has been understood, by a great part of the Protestant Reformed Churches, to be designated in the Holy Scriptures, by the title of governments; and of those who rule well, but do not labor in the word and doctrine."—F. G., Ch. V.

(1) The election of ruling elders.—"Every congregation shall elect persons to the office of ruling elder, and to the office of deacon, or either of them, in the mode most approved and in use in that congregation."—F. G., Ch. XIII, Sec. 2.

(2) Constitutional qualifications.—"But in all cases the persons elected must be male members in full communion in the church in which they are to exercise their office."—F. G., Ch. XIII, Sec. 2.

(3) For what length of time are they to be elected?—"The offices of ruling elder and deacon are both perpetual, and cannot

be laid aside at pleasure."—F. G., Ch. XIII, Sec. 6. "If any particular church, by a vote of members in full communion, shall prefer to elect ruling elders or deacons for a limited time in the exercise of their functions, this may be done; provided, the full time be not less than three years, and the Session or board of deacons be made to consist of three classes, one of which only shall be elected every year; and provided, that elders, once ordained, shall not be divested of the office when they are not re-elected, but shall be entitled to represent that particular church in the higher judicatories, when appointed by the Session or the Presbytery."—F. G., Ch. XIII, Sec. 8.

(4) An election retires acting elders.—"So soon, therefore, as any particular church, under this new provision of the Constitution, shall determine, by a vote of its members, in full communion, to elect elders for a limited time, and they shall be elected and set apart to their office, elders in office by virtue of an earlier appointment cease to be acting elders, in that particular church."—Digest, p. 541.

(a) In term service the elders should be elected for a term of three years.—Digest, p. 543. (b) But "if, in introducing the system of term service, it is found necessary to elect one or more classes for less than three years, so as ultimately to make the classes three, and the term of service three years, it is lawful to do so."—Digest, p. 543. (c) "When from necessity there can be but one elder, for the time being, he may be elected for three years, as pro-

vided in ch. xiii, sec. 8, and re-elected at the end of that term; and the division into classes as provided in that section should take place as the Session can be increased in number."—Digest, p. 542. (d) Term-service elders not re-elected on the expiration of their terms of service, so long as they remain members of the churches which they served, "may become members of any of the courts of the Church above the Session."—Digest, p. 543. This ruling does not apply to life-service elders who may have retired from the exercise of their official functions in the particular churches, in such cases, the Assembly holding "that no ruling elder who has retired from the active exercise of his office in the church to which he belongs can be admitted as a member of a Presbytery, Synod or General Assembly."—Digest, p. 537.

(5) Who may vote in the election of ruling elders?—"Communicants in good standing are qualified voters at the election of ruling elders and deacons."—Digest, p. 531. "The rolls of communicant members in good standing in the possession of the clerks of Sessions shall be the authoritative lists of voters at church meetings."—Digest, p. 531. Hodge, p. 307, and Roberts, p. 83.

(6) Who determines the time of an election?—"The Session of a church should always be consulted with reference to calling a meeting for the election of additional ruling elders; and it is irregular to call a meeting for such a purpose, and proceed to an election, unless the meeting is called through and by authority of the

Session or some higher court."—Digest, p. 526.

(7) Who is to preside at a congregational meeting, held for the purpose of electing elders?—"The officers of the Session are ex-officio the officers of the congregational meeting."—Hodge, p. 306. "Is the pastor of a church, by virtue of his office, the moderator of a meeting of the communicants of his church called to elect ruling elders and deacons, and will the answer to this question also apply to regularly appointed moderators of Sessions who are not pastors? It is recommended that these questions be answered in the affirmative."—Digest, p. 526.

(8) The mode of election.—The Form of Government, ch. xiii, sec. 2, provides that the election shall be held "in the mode most approved and in use in that congregation." This phrase "refers historically to (1) nominations by the Session, (2) additions to the existing eldership, (3) qualifications of voters, and (4) length of service by the elder."—Roberts, p. 79.

But "the mode most approved" may be changed by the church.—Digest, p. 529. In calling a meeting for the election of elders, neither "the manner of election" nor "the parties to be elected" can be specified; for the congregation must be left to "its constitutional right to elect such parties as to it may seem best."—Digest, p. 1068.

(9) Elders must be ordained.—The Assembly has held that an elder-elect is not competent to sit in the Session before ordination.—Digest, p. 534.

(10) Mode of ordination.—The Form of

Government, ch. xiii, sec. 4, provides that "the candidate" shall be set apart "by prayer." Nothing is said about the laying on of hands. Some churches practice the laying on of hands (which is approved by the Assembly), and some do not. It is left "to the discretion of each church Session to determine the mode of ordination in 'his respect.'"—Digest, p. 534.

(11) Right hand of fellowship.—At the close of the ordination service, the elders should "take the newly ordained elder by the hand, saying in words to this purpose, 'We give you the right hand of fellowship, to take part of this office with us.'" —F. G., Ch. XIII, Sec. 5.

(12) Who is to perform the ordination service?—"The pastor of the church. If the church is being organized, the chairman of the committee of Presbytery shall ordain the officers."—Hodge, p. 310.

For the order of the ordination and the installation service, see F. G., Ch. XIII, Secs. 3-5.

See also "The Book of Common Worship."

(13) Knowledge of the Confession of Faith.—"The minister ought to see to it that the candidate for ordination as elder has sufficient knowledge of the Confession of Faith to answer the question referred to [F. G., ch. xiii, sec. 4, ques. 2] intelligently before he is ordained; yet if a man has been ordained as an elder who has not such sufficient knowledge, this fact does not invalidate his ordination."—Digest, p. 1068.

(14) How may an elder cease to act?—
(a) "The dismissal of a ruling elder by

letter from a church terminates his official relations with that church."—Digest, p. 540. "Should he return the certificate, within a year from its date, the Session shall make record of the fact, but he shall not thereby be restored to the exercise of the functions of any office previously held by him in that church."—B. D., Sec. 109. (b) Deposition after trial. See B. D., Secs. 46 and 40. (c) "By age or infirmity."—F. G., Ch. XIII, Sec. 6. (d) He may "become unacceptable, in his official character, to a majority of the congregation."—F. G., Ch. XIII, Sec. 6. In such a case, if "the matter cannot be amicably arranged by consent of parties, the proper method of redress is by memorializing the Presbytery."—Digest, p. 538. (e) Elders who cannot acquiesce in the decisions of the superior courts of the church should resign.—Digest, p. 537. (f) By order of Presbytery.—Digest, p. 538. (g) By expiration of term of office.—Digest, p. 541. (h) By resignation. "The resignation should be to the Session; and it will take effect when accepted."—Digest, p. 538. See also Digest, p. 1068.

(15) Reinstallation on resuming office.—The Assembly holds that when an elder "terminates his connection with the Session," he must be installed before resuming office again.—Digest, p. 534. This means, of course, that he must also be re-elected before the reinstallation. While reinstallation is necessary, reordination is not necessary, unless the elder has either been deposed from, or demitted his office. Following the analogy of a minister (Digest, p. 664) under either of these conditions, it

would appear that the reordination of an elder would be necessary.

For the order of the reinstatement service, see F. G., Ch. XIII, Sec. 4, beginning with question 4, and on to the close of Sec. 5.

(16) Removal of suspension restores rights of an elder.—“The removal of said suspension restored said elders to all of their rights and privileges (which had been temporarily suspended only), including the right to exercise the functions of active ruling elders in said congregation.”—Digest, p. 539.

(17) Restoration to church privileges does not restore to the eldership.—Digest, p. 536.

(18) Elders cannot administer the sacraments.—Digest, p. 956.

3. The Deacons.—“The Scriptures clearly point out deacons as distinct officers in the Church, whose business it is to take care of the poor, and to distribute among them the collections which may be raised for their use. To them also may be properly committed the management of the temporal affairs of the church.”—F. G., Ch. VI.

(1) Election of Deacons.—“Every congregation shall elect persons to the office of ruling elder, and to the office of deacon, or either of them, in the mode most approved and in use in that congregation. But in all cases the persons elected must be male members in full communion in the church in which they are to exercise their office.”—F. G., Ch. XIII, Sec. 2.

“Female members of the Church” can-

not be elected "to the office of deaconess."
—Digest, p. 532.

The term of service and mode of election are governed by the same rules that control in the selection of elders.

(2) Laws regulating deacons.—"The same rules apply to them as to ruling elders as to ordination, installation, resignation, deposition, removal, dismissal, return, ceasing to act, effect of suspension and restoration."—Hodge, p. 68.

(3) Must act as a board.—"The deacons, no more than the elders, can act on their individual responsibility. They should meet and organize as a board, with a chairman, secretary, and treasurer. The pastor of the congregation should be invited to be present at all meetings. The secretary should keep full records of all proceedings, and the treasurer should pay out no money except by authority of the board."—Roberts, p. 363. "The pastor of each congregation has an episcopal or superintending relation to all its affairs. In view of this fact he should be invited to be present at all meetings of the board of deacons, and should be consulted with regard to all proposed action."—Roberts, p. 364.

(4) Duties.—(a) Funds for the poor. "The management of this fund belong exclusively to the deacons."—Digest, p. 153. The Session "may advise respecting the use" of this fund. (b) The Lord's Supper. "It is the custom in many churches to assign to the deacons the preparation for the administration of the sacrament of the Lord's Supper, and the custody of the communion plate."—Roberts, p. 364. It is

"in accordance with Presbyterian law and usage that deacons distribute to the church members the bread and wine in the sacrament of the Lord's Supper."—Digest, p. 153. But such service for the deacons "is referred to the discretion of the Sessions of the churches."—Digest, p. 153. (c) May serve as trustees. "If deacons are chosen as trustees of congregations, it should be distinctly understood that as trustees they are civil officers, and responsible for their conduct as such (1) to the congregation, (2) to the State. Deacon-trustees are not under the control of Session, nor responsible to Session, for their work as trustees."—Roberts, p. 365. Deacons serving as trustees are governed by the same laws which control trustees. See "Trustees." (d) Preside over public worship. "It is recommended, that every vacant congregation meet together, on the Lord's Day, . . . and that the elders or deacons be the persons who shall preside, and select the portions of Scripture, and of the other books to be read; and to see that the whole be conducted in a becoming and orderly manner."—F. G., Ch. XXI, Sec. 1. (e) Reports. "The board of deacons should report to the annual meeting of the church upon its work, and it is proper that the board submit its minutes for review to the Session at least once a year."—Roberts, p. 364.

(5) Deacons and the Session.—"It is advised that the board of deacons and the Session meet for conference at stated times, in order that there may be systematic and united action in connection with the work of the diaconate."—Roberts,

p. 364. But this does not constitute the deacons members of the Session, in which they can have no official part.

(6) Deacons are not members of church courts.—A deacon “is neither a minister nor a representative of the people, and has therefore no judicial power.”—Hodge, p. 69. It is “in violation of the principles of our Church Government” for deacons to sit in Church courts.—Digest, p. 153.

(7) A deacon may also serve as an elder.—“It is not inconsistent with the Constitution of the Presbyterian Church, nor with the precedent furnished in filling the office of deacon at its first institution, that where a necessity exists, the same individual should sustain both offices.”—Digest, p. 152.

But he must of course be duly elected and inducted into each office, if he is to “sustain both.”

III. MEETINGS.—“Meetings of a church can be held only by the order of the Session duly passed at a regular meeting.”—Roberts, p. 317.

1. Officers.—“The officers of the Session are *ex-officio* the officers of the congregational meeting.”—Hodge, p. 306.

2. Records.—“All proceedings of the church shall be reported to, and reviewed by, the Session, and by its order incorporated with its records.”—B. D., Sec. 71. “The rule is not discretionary, but mandatory, that church Sessions shall order the incorporation of proceedings of congregational meetings with their own records.” . . . But “to such an extent only, as will faithfully exhibit the action taken.”—A. G. A., VIII, 2.

3. Rules.—"F. G., Ch. xv, Sec. 4, in connection with the qualifications of electors for a pastor uses the words 'the rules of that congregation.' This recognizes the right of a church and congregation to adopt rules in certain matters, subject to the provisions of the Constitution giving to the minister, the Session, and the higher judicatories specific powers."—Roberts, p. 318.

Some good suggestions as to "Rules for the Church" will be found in the "Manual for Ruling Elders," pp. 367-9.

4. Voters.—These may be classified as follows:

(1) For elders and deacons.—"Only communicants in good standing are qualified voters at the election of ruling elders and deacons."—Digest, p. 531. No distinction is to be made "between members of the church as to their ages, in voting for officers of the church."—Digest, p. 531.

(2) For pastor.—"It is the right of each one of our congregations, under the Constitution of the Church, to determine by rule the qualifications of non-communicants who are contributors to church expenses, as voters in the election of pastors."—Digest, p. 565. In some churches only communicants vote for pastor, a practice which the Assembly does not condemn.—Digest, p. 564.

"In this election, no person shall be entitled to vote who refuses to submit to the censures of the Church regularly administered; or who does not contribute his just proportion, according to his own engagements, or the rules of that congregation, to all its necessary expenses."—F. G., Ch. XV, Sec. 4.

(3) For trustees.—“The voters in the congregations under the care of this General Assembly, at elections for trustees or other persons to manage the temporal affairs, shall be the communicant members in good standing, and, in addition, such other persons as contribute by regular payments at stated periods to the support and necessary expenses of the congregation in accordance with its rules; Provided, That nothing in this regulation shall be valid which contravenes the provisions of the laws of any of the States, of the United States, or of special church charters.”—Digest, p. 880.

5. Purposes.—Meetings may be held, among others, for the following purposes:

(1) To transact business.—For the transaction of church business, on a call duly made by the Session.

(2) To elect a pastor.—It is the duty of the Session to convene the church for the election of a pastor, under proper conditions; and it is mandatory on the Session to convene the church “when a majority of the persons entitled to vote in the case, shall, by a petition, request that a meeting may be called.”—F. G., Ch. XV, Sec. 1.

(3) To elect elders and deacons.—F. G., Ch. XIII, Sec. 2.

(4) To consider a change in officers.—
(a) Pastor.—F. G., Ch. XVII, Sec. 1. (b) Elders and deacons.—F. G., Ch. XIII, Sec. 6. Digest, p. 538.

(5) To change method of electing elders and deacons.—F. G., Ch. XIII, Sec. 8.

(6) To vote on dividing or uniting the church with another church.—F. G., Ch. X, Sec. 8.

(7) "For anything pertaining to the spiritual interests of the church."—Hodge, p. 166.

6. Appeals from the decision of the moderator.—"Where the moderator of a congregational meeting is a minister, an appeal against his rulings cannot be taken to said congregational meeting. When appeals from the decisions of the chair are made, the moderator should direct, therefore, the clerk to enter said appeals, as exceptions to his rulings, upon the minutes of the meeting, and the same should be reported for adjudication to the Presbytery."—Roberts, p. 333.

IV. MEMBERS.—The reception, duties, privileges, discipline, dismissal, etc., of members of a particular church are discussed in the following chapter on "The Church Session."

V. TRUSTEES.—"It is not inconsistent with the Presbyterian plan of government, nor the institution of our Lord Jesus Christ, that trustees, or a committee chosen by the congregation, should have the disposal and application of the public money raised by said congregation, to the uses for which it was designed; provided, that they leave in the hands and to the management of the deacons what is collected for the Lord's table and the poor."—Digest, p. 122. For a full discussion of this subject see the Digest and the "Manual for Ruling Elders."

VI. ORGANIZATIONS.—"The members of a particular church or particular churches may associate together, and may associate with themselves other regular members of the congregation or congrega-

tions, under regular forms of association, for the conduct of a special work for missionary or other benevolent purposes, or for the purpose of instruction in religion and development in Christian nurture."—F. G., Ch. XXIII, Sec. 1. Read also Secs. 2-4.



CHAPTER III.

The Church Session.

"The church Session consists of the pastor or pastors and ruling elders, of a particular congregation."—F. G., Ch. IX, Sec. 1. The pastor is a constituent element of the Session, though when a church has no pastor, the elders alone may perform certain sessional duties.

I. THE PASTOR.—See this book, Chapter II, Section II.

II. THE RULING ELDERS.—See this book, Chapter II, Section II.

III. A QUORUM.—"Of this judicatory, two elders, if there be as many in the congregation, with the pastor, shall be necessary to constitute a quorum."—F. G., Ch. IX, Sec. 2.

1. A minister with one elder.—In the law "it seems to be implied that cases may occur with infant or feeble churches, in which it would be impracticable for a time to have more than one elder, and yet be necessary to perform acts of a judicial character. For such the Constitution provides; but if there be more than one elder, then two at least, with a minister, are necessary to form a Session."—Digest, p. 159.

2. A single elder.—In a Session composed of two elders, one refused to act. The Assembly recognized the other elder

as constituting the Session.—Digest, p. 160.

3. Resident elders.—Two out of three elders composing a Session were non-resident. The pastor and the one resident elder were recognized as constituting the Session. See Digest, p. 160.

4. The pastor.—“In the rare cases of the removal or death of all the elders of a given church, or of newly formed congregations unable at once to secure ruling elders, the letter and the spirit of the Constitution require that the regularly installed pastor, if there be one, or the moderator appointed by Presbytery, should act as the Session, until a duly called meeting of the congregation elects new elders. If such a meeting cannot be held, the matter should be referred to Presbytery at the earliest time possible.”—Roberts, p. 120.

5. Prayer.—“The Session has discretion as to the circumstances under which any given meeting may be opened and closed with prayer.”—Digest, p. 161. In 1899 the Assembly refused to make “the opening and closing of meetings of church Sessions with prayer” mandatory.—Digest, p. 963.

IV. WHO IS MODERATOR OF THE SESSION?

1. Ordinarily, the pastor.—“The pastor of the congregation shall always be the moderator of the Session; except when, for prudential reasons, it may appear advisable that some other minister should be invited to preside.”—F. G., Ch. IX, Sec. 3.

2. Another Minister.—For the prudential reasons mentioned above, “the pas-

tor may, with the concurrence of the Session, invite such other minister as they may see meet, belonging to the same Presbytery, to preside in that case."—F. G., Ch. IX, Sec. 3.

3. A minister appointed by the Presbytery.—When a church is vacant, the Presbytery may appoint one of its ministers to act as moderator of the session of the vacant church. See F. G., Ch. IX, Sec. 4.

4. Session of a vacant church may invite a minister.—But such a minister must belong to the Presbytery under whose jurisdiction the church is.—Digest, p. 163.

5. An elder may act.—If the Presbytery has not appointed a moderator, and the Session finds "it is impracticable, without great inconvenience, to procure the attendance" of a minister as moderator, "the Session may proceed without it."—See F. G., Ch. IX, Sec. 4. But if there is "judicial business" it is absolutely necessary to have a minister to act as moderator.—Roberts, p. 126.

For a definition of "judicial business," or a "judicial case," see this work, Chapter IV, Section VIII, 1, (3), (a).

6. Synodical Superintendent not eligible.—"The synodical superintendent has no right, ex-officio, to act as moderator of the Sessions of vacant churches." "The moderator of a vacant church should be of the same Presbytery as the church," and "when the Session of a vacant church meets and no moderator from the same Presbytery is present, and the synodical superintendent is present, a ruling elder should ordinarily preside."—Digest, p. 962.

From the foregoing it is evident that

a pastor-elect, stated supply, synodical or presbyterial missionary, or a pastor at large, cannot act as the moderator of a church Session, unless he is a member of the Presbytery having jurisdiction of the church, and then only (1) when appointed by the Presbytery, or (2) when invited by the Session.

V. WHO MAY CONVENE THE SESSION?—“The pastor has power to convene the Session when he may judge it requisite; and he shall always convene them when requested to do so by any two of the elders. The Session shall also convene when directed so to do by the Presbytery.”—F. G., Ch. IX, Sec. 8.

VI. APPEAL FROM THE DECISION OF THE MODERATOR.—“The decisions of the pastor as moderator of the Session, in all matters constitutionally within his authority, cannot be appealed from by the other members in the Session. This practice is based upon the fact that the pastor is a member of the Presbytery, and the representative of that body. If any decision made by him as moderator is unsatisfactory, while an elder may dissent or protest, the only prompt way of securing redress is to file a complaint with the Presbytery.”—Roberts, p. 325. See also Hodge, p. 129.

VII. THE CLERK.—See this work, Chapter I, Sec. II.

1. Who shall act?—“An elder is the proper person to perform the duties of the office, and can be instructed therein by the pastor, if necessary.”—Roberts, p. 127.

2. Records.—Records should be accu-

rately kept, and transmitted to Presbytery at least once each year for inspection.—F. G., Ch. IX, Sec. 9.

3. Roll.—The Session should see that the clerk keeps a complete roll of members, and accurately fills all spaces opposite the names as circumstances may require.

(1) Baptized children.—“Churches are urged to keep a full and permanent roll of all baptized children, and carefully to note their public confession of Christ, their passing beyond the watch and care of the church, or their removal by death.”—Digest, p. 175.

“The names of the baptized children of a parent seeking dismissal to another church shall, if such children are members of his household and remove with him and are not themselves communicants, be included in the certificate of dismissal.”—B. D., Sec. 114.

(2) Suspended roll.—This includes the “non-resident members” whose cases have been acted upon by the Session under B. D., Secs. 49, 50; and also “those suspended after full judicial process.”—Digest, p. 964. The suspended roll may be made up of three classes, as follows:

(a) “Those suspended after full judicial process.” See B. D., Secs. 19-34, the censure fixed by the Session being “suspension.”

(b) Those suspended “without process” for neglecting “the ordinances of the Church.” See B. D., Sec. 50. This section “applies to resident members who neglect church ordinances.”—Digest, p. 1088.

(c) Non-residents.—See B. D., Sec. 49. This “section has to do solely with non-

resident communicants who have been absent for two years or more, who have not asked for or received the regular certificate of dismissal to another church, and who do not reply, for one cause or another, to letters from the clerk of Session advising them to apply for such certificates. The Session is authorized, upon report duly made, to place the names of such negligent non-resident communicants on the roll of suspended members, until satisfied of the propriety of their restoration."—Digest, p. 1088.

This suspended roll, including these three classes, should show the relation of each, whose name appears on it, to the church. All on this roll "continue subject to the jurisdiction of the Session."

VIII. THE POWERS OF THE SESSION.—See F. G., Ch. IX, Secs. 6, 7.

1. To receive members.—"A profession of faith in Christ and obedience to him is all that is required in our Standards of those who are out of the visible Church, in order to their being baptized."—G. A., N. S., 1860. But "persons who do not believe in the fundamental doctrines of evangelical Christianity are not to be received," nor "persons who do not believe in water baptism, and persons not inclined to submit to the discipline of the Church."—Roberts, p. 140. A Session cannot receive persons into any other than the church of which it is the governing body.—Digest, p. 168.

(1) On profession of faith.—"Those who are to be admitted to sealing ordinances, shall be examined as to their knowledge and piety."—D. W., Ch. X, Sec. 3.

“The order of the churches requires that all persons making a public profession of religion be introduced to the communion of the church only by an individual Session regularly constituted.”—Digest, p. 168.

“The examination of candidates ought manifestly to be in their [Session’s] presence, unless in special cases of sickness or other hindrance, when this duty may be performed by a committee under direction of the Session.”—Digest, p. 169.

(a) The vote of the Session admitting persons to membership in the church, on a profession of faith, unless they have already been baptized, is conditioned upon baptism.—Digest, p. 167.

(b) “In the absence of satisfactory testimonials as to church membership or personal knowledge of the piety and good standing of such persons [coming from other denominations] in other evangelical churches, the applicant is to be received on a profession of faith in Christ.”—Digest, p. 798.

(2) On certificate.—“When any member shall remove from one church to another, he shall produce a certificate, ordinarily not more than one year old, of his church-membership and dismissal, before he shall be admitted as a regular member of that church.”—B. D., Sec. 114. The limit of one year does not ordinarily exclude, where the Session has knowledge of the reasons for delay and of the religious life.—Digest, p. 800.

(a) “To receive members of another church,” “so far as churches in our own connection are concerned,” without cer-

tificates, is not "in accordance with ecclesiastical law and order."—Digest, p. 798. "Nor can the Assembly forbear to regret that the Session of the church of Chillicothe had not acted in a more formal manner in receiving Mr. McCalla, and had not required a regular certificate of dismissal from the church to which Mr. McCalla belonged before they received him."—Digest, p. 797.

(b) When "an applicant for admission by letter is received by a vote of the Session, he is at once a member of the church, entitled to all the privileges, and subject to all the responsibilities, of this relation."—Digest, p. 166.

(3) Public recognition of members.—After the Session has formally voted to receive a member into the communion of the church, a public recognition of that fact should be held in connection with a divine service, ordinarily, the celebration of the Lord's Supper. There are three distinct classes of persons admitted to membership from time to time, and in the public recognition service, this fact should be noted in each case, as follows:

(a) The admission of adults, on a profession of faith, who have not been baptized.

(b) The admission to the Lord's table, on a profession of faith, of those who have been baptized in infancy.

(c) The admission of those who come from other churches.

For a beautiful rich form of service for each class, see "The Book of Common Worship."

2. To inquire into the conduct of mem-

bers.—"An offense" of a church member is anything contrary to the word of God; "or which, if it be not in its own nature sinful, may tempt others to sin, or mar their spiritual edification."—B. D., Sec. 3. Among other things church members should be circumspect in their conduct in reference to the following:

(1) Theater and opera.—"The Assembly bear earnest and solemn testimony against this practice as inconsistent with Christian duty, since it not only gives countenance and support to an institution, justly described by a former Assembly as a school of immorality, but is in itself spiritually hurtful, and tends to obliterate the line which should always be plainly visible between the followers of Christ and the world."—Digest, p. 615.

(2) Dancing.—"The fashionable amusement of promiscuous dancing is so entirely unscriptural and eminently and exclusively that of 'the world which lieth in wickedness,' and so wholly inconsistent with the spirit of Christ, and with that propriety of Christian deportment and that purity of heart which his followers are bound to maintain, as to render it not only improper and injurious for professing Christians either to partake in it, or to qualify their children for it by teaching them the art; but also to call for the faithful and judicious exercise of discipline on the part of church Sessions when any of the members of their churches have been guilty."—Digest, p. 607.

(3) Card-playing.—"In respect to 'the custom of fashionable card-playing,' referred to by the memorialists, and repre-

sented as being 'countenanced in many of our Christian households,' and also 'participated in by members of our churches,' this Assembly would affectionately exhort all the members of the Presbyterian Church to practice the most careful watchfulness in avoiding all recreations and amusements, whether in the form specified in the memorial or otherwise, which are calculated to impair spirituality, lessen Christian influence or bring discredit upon their profession as members of the Church."—Digest, p. 609.

(4) Progressive euchre.—"That something of greater or less value is generally played for in this parlor style of card-playing is too well known to need any affirmation. . . . This General Assembly would affectionately call upon all the members of our Church, to so regard their obligations to Christ, as to see to it, that they take no part in amusements which they cannot take in his name."—Digest, p. 613.

(5) Gambling.—"All encouragement of lotteries and purchasing of lottery tickets, all attendance on horse-racing and betting on such, or any other occasions, and all attempts of whatever kind to acquire gain without giving an equivalent, involve the gambling principle, and participate in the guilt which attaches to that vice."—Digest, p. 615.

(6) Liquor traffic.—"Our members are hereby warned most solemnly against signing or presenting for citizens' signature, or in court, license petitions which tolerate the continuance of this unholy traffic, or in any other manner abetting

this terrible business. This Assembly is unalterably opposed to the license system."—Digest, p. 1085.

"Persons continuing in the renting of property, signing petitions, and endorsing bonds for the encouragement of the liquor traffic are subject to discipline, if such conduct is persisted in after timely admonition."—Digest, p. 962.

(7) Unclean lives.—"The sins forbidden in the seventh commandment, besides the neglect of the duties required, are adultery, fornication, rape, incest, sodomy, and all unnatural lusts; all unclean imaginations, thoughts, purposes, and affections; all corrupt or filthy communications, or listening thereunto; wanton looks; impudent or light behavior; immodest apparel; prohibiting of lawful, and dispensing with unlawful marriages; allowing, tolerating, keeping of stews, and resorting to them; entangling vows of single life; undue delay of marriage; having more wives or husbands than one at the same time; unjust divorce or desertion; idleness; gluttony; drunkenness; unchaste company; lascivious songs, books, pictures, dancings, stage plays; and all other provocations to, or acts of uncleanness either in ourselves or others."—L. C., Q. 139; Digest, p. 633.

(8) Unjust dealing.—Among other things forbidden in the eighth commandment, mention may be made of the following: theft, robbery, receiving anything that is stolen, fraudulent dealing, false weights and measures, injustice and unfaithfulness in contracts between man and man, oppression, extortion, usury, bribery, etc.—L. C., Q. 142; Digest, p. 634.

"The eighth commandment forbiddeth whatsoever doth, or may, unjustly hinder our own, or our neighbor's wealth or outward estate."—S. C., Q. 75.

3. To exercise discipline.—"Discipline is the exercise of that authority, and the application of that system of laws, which the Lord Jesus Christ has appointed in his Church: embracing the care and control, maintained by the Church, over its members, officers and judicatories."—B. D., Sec. 1. "Original jurisdiction" in relation to church members pertains to the Session.—B. D., Sec. 18.

(1) Ends of discipline.—"It is necessary for Sessions to remember that two of the great ends of discipline are the restoration of offenders and the promotion of their spiritual welfare."—Roberts, p. 220.

(2) Christian affection.—Members under discipline should be treated with "Christian affection, that they may be led to see their errors and return to their duty, and that they may be restored to the fellowship of the Church."—Digest, p. 606.

(3) Application of discipline.—For the general principles in the application of discipline by the Session, see "Manual for Ruling Elders," pp. 231-304.

4. To concert the best measures for promoting the spiritual interests of the congregation.—F. G., Ch. IX, Sec. 6.

5. Warning.—See this work, Chapter I, Section IX.

6. To exercise exclusive authority over the worship.—See F. G., Ch. IX, Sec. 7. "The Assembly enjoins upon the churches loyal adherence to our Form of Government, providing that the authority of the

Session over all matters of worship is paramount, and at the same time recommends that all such questions be treated by the Session with Christian tact and courtesy, in the spirit of love and forbearance."—Digest, p. 173.

(1) Music.—The Assembly "leave to each Session the delicate and important matter of arranging and conducting the music as to them shall seem most for edification, recommending great caution, prudence and forbearance in regard to it."—Digest, p. 172.

(2) Prayer.—"The Session possesses the right to determine how many meetings for prayer shall be held within the bounds of the congregation, and where they shall be held."—Roberts, p. 194.

(3) Preaching.—The Session "shall determine the times and places of preaching the Word and all other religious services."—F. G., Ch. IX, Sec. 7.

(4) Sabbath-schools.—It is the duty of the Session to "supervise the Sabbath-school."—F. G., Ch. IX, Sec. 6. "These schools should always be under the direction of the pastor and Session."—Digest, p. 827. "The Assembly earnestly recommends the Sessions of all our churches, in the exercise of their right, to appoint the superintendent and maintain a careful and authoritative supervision of all the Sabbath-school work of their congregations and mission enterprises."—Digest, p. 829.

(5) Societies.—It is the duty of the Session to supervise "the various societies or agencies of the congregation."—F. G., Ch. IX, Sec. 6.

(6) Church buildings.—The Session

"shall have exclusive authority over the uses to which the church buildings may be put."—F. G., Ch. IX, Sec. 7.

(7) Vacant churches.—"It is recommended, that every vacant congregation meet together, on the Lord's Day, at one or more places, for the purpose of prayer, singing praises, and reading the Holy Scriptures, together with the works of such approved divines, as the Presbytery within whose bounds they are, may recommend, and they may be able to procure; and that the elders or deacons be the persons who shall preside, and select the portions of Scripture, and of the other books to be read; and to see that the whole be conducted in a becoming and orderly manner."—F. G., Ch. XXI, Sec. 1.

The Assembly has held that it is "consistent with the principles of our Church for ruling elders, in the absence of the pastor, to read the Scriptures and explain them, and to endeavor to enforce the truth upon the conscience by suitable exhortations."—Digest, p. 587.

7. To dismiss members.—See B. D., Sec. 114.

(1) Session may delegate authority to issue certificates.—The Assembly "does not find in the Form of Government anything which would invalidate the custom of authorizing, by vote of Session, its moderator or stated clerk to issue letters in the interim of the meetings of the Session to members who are in good standing, and to report such dismissions to the Session at its next meeting."—Digest, p. 801.

(2) Modified certificates.—(a) "If a

church member, more than two years absent from the place of his ordinary residence and church connection, applies for a certificate of membership, his absence, and the knowledge of the church respecting his demeanor for that time, or its want of information concerning it, shall be distinctly stated in the certificate."—B. D., Sec. 116. (b) "Absence from the ordinances of God's house without cause may justify a Session in omitting in the certificate the words 'in good and regular standing.' Min. G. A., O. S., 1864."—Bittinger, Sec. 142.

(3) Takes effect immediately.—B. D., Sec. 109. "A letter of dismissal, whether issued to a ruling elder or private member, terminates the relations of the person dismissed with the church giving the letter, except so far as said church is responsible for its watch and care over him during the period of transition."—Digest, p. 793. "Should he return the certificate, within a year from its date, the Session shall make record of the fact, but he shall not thereby be restored to the exercise of the functions of any office previously held by him in that church."—B. D., Sec. 109.

(4) To a particular church.—"The certificate shall be addressed to a particular church."—B. D., Sec. 114. Yet he may unite with "some other evangelical church."—B. D., Sec. 109.

(5) Reception reported.—"The fact of the reception of the person or persons named in it shall be promptly communicated to the church which gave it."—B. D., Sec. 114. "On the reception of mem-

bers from other churches," the Session should "notify immediately" the churches from which the members have been dismissed.—Digest, p. 800.

(6) Removal notices.—Pastors are "requested to report the names of church members removing to the cities to the pastors in such cities."—Digest, p. 1109.

(7) Suspended member.—A letter of dismissal cannot be given "to a suspended member" without "satisfactory evidence of his repentance."—Digest, p. 1109. Yet in case of "removal to an inconvenient distance, provided that in no instance the Session to which he is dismissed be allowed to review or rejudge the case," a Session may "dismiss to another church a suspended member, stating the case, and submitting it to the Session to which he has removed."—Digest, p. 799.

(8) To join another denomination.—The form of dismissal to other denominations "is one that ought to be left to the sound discretion of the various church Sessions, according to the Constitution."—Digest, p. 798. "A certificate of Christian character, as a rule, will be sufficient."—Roberts, p. 149.

(9) Letters of credence.—"The General Assembly urge upon the Sessions of churches, the importance of giving to members who remove from them, in case of uncertain destination, letters of credence. Min. G. A., 1871."—Roberts, p. 150. For form of such letter, see Roberts, p. 439.

(10) Renouncing the Church.—"If a communicant renounces the communion

of this Church by joining another denomination, without a regular dismissal, although such conduct is disorderly, the Session shall take no other action in the case than to record the fact, and order his name to be erased from the roll.—B. D., Sec. 52.

8. To appoint delegates to the higher judicatories.—F. G., Ch. IX, Sec. 6.

(1) To the Presbytery.

(2) To the Synod.

(3) Required.—The Presbytery should “call those Sessions to account that do not send elders to attend upon the Synod and Presbyteries, and to enjoin these Sessions to call those elders to account that do not attend upon judicatories, when sent by them.”—Digest, p. 170.

(4) Expenses.—It is the duty of “the several congregations to defray the necessary charges that their elders be at, during their attendance” upon the judicatories.—Digest, p. 170.

(5) Term of service.—It is “left to each Session to prescribe the particular terms for which, or times at which, its delegates shall attend as its representative in such judicatories.”—Digest, p. 171. “Delegates should, however, be appointed for a definite period in the case of the Presbytery, and for both the stated and adjourned meetings of the Synod.”—Roberts, p. 228.

9. Sessions and collections.—When the higher judicatory orders collections “it is inconsistent with our Church government to be under the check or prohibition of a church Session; they indeed may give or withhold their charity, but may not pre-

vent a minister to propose it publicly.”—Digest, p. 169.

Church members are “under obligation to sustain the ordinances of religion where they are already established, and to contribute by their prayers, gifts, and personal efforts, to the extension of the kingdom of Christ throughout the whole earth.”—C. F., Ch. XXXV, Sec. 4.

In 1906 the Assembly adopted the following: “That the Sessions of all our churches be reminded of their responsibility in connection with the stimulation and systematic development of church benevolences, and be urged to devise and faithfully carry out some plan of annually canvassing the entire constituency of each church, for offerings in aid of all authorized missionary and benevolent causes of the Church.”—Digest, p. 1117.

10. Christian liberality.—The Assembly in 1907 adopted the following: “That pastors be urged to preach at least once a year on the duty and privilege of proportionate and systematic giving.

“That an effort be made in all our churches to increase the number of those who set apart a definite portion of their income for the Lord’s work.

“That the portion thus set aside be at least a tenth, for, while under the gospel dispensation no definite rule can be laid down as to the amount that should be set aside from one’s income as the Lord’s portion, yet the whole trend of the teaching of the Word would indicate that it should not be less than the tenth.”—Min., p. 225.

“Every Christian should keep an ac-

count with God, and conscientiously set aside a portion of his income to be used for the Lord's work, and when the claims of God's cause are presented from time to time, should consider it a privilege and a joy to listen to the new opportunities presented for doing the Lord's work, and deem it a privilege to take from the Lord's box the money previously set aside to help these enterprises."—Min., p. 224.

"In the judgment of this Assembly it is the duty of every member, present or absent, to contribute according to his means to the support of the church where he holds his membership. What action should be taken in case of a failure to perform this duty is left to the discretion of the church of which the individual is a member."—Min., p. 225.



CHAPTER IV.

The Presbytery.

"The Church being divided into many separate congregations, these need mutual counsel and assistance, in order to preserve soundness of doctrine, and regularity of discipline, and to enter into common measures for promoting knowledge and religion, and for preventing infidelity, error, and immorality. Hence arise the importance and usefulness of presbyterial and synodical assemblies."—F. G., Ch. X, Sec. 1. "A Presbytery may, however, be formed without any organized churches."—Digest, 1886, p. 135.

I. MEMBERSHIP.—"A Presbytery consists of all the ministers, in number not less than five, and one ruling elder from each congregation, within a certain district; but in exceptional cases a Presbytery may be organized within the boundaries of existing Presbyteries, in the interests of ministers and churches speaking other than the English language, or of those of a particular race; but in no case without their consent; and the same rule shall apply to Synods."—F. G., Ch. X, Sec. 2.

The Assembly has made the following deliverance as to the right of a race that desires a separate presbyterial or synodical organization:

“Under this provision, if a Presbytery is composed of more than one race, and any one of the races desires to be in a Presbytery separate from the other race, or races, it may petition Synod to so separate it. It does not have to ask permission of any other race to make petition to Synod, nor does the Synod have to ask the permission of any other race to grant the petition.

“The rule is the same for the Synod. That is, if any race in a mixed Synod desires to be separated from the other races into a Synod exclusively for its own race, it will have to make petition to the General Assembly.

“The amendment to the Constitution authorizes the Synods and General Assembly to grant such petitions.

“The phrase, ‘but in no case without their consent,’ has no application where any race is making petition for separation. It applies to Presbyteries and Synods in which more than one race operates, and in which all want to remain just as they are. The Synod has no authority to make a separation in a Presbytery where no race wants separation; nor has the General Assembly any authority to make a separation in a Synod where no race wants separation. ‘But in no case without their consent’ limits the authority of the Synod and General Assembly, and does not limit, nor hinder, the privilege of any race that wants to be separated from others.”—Min. 1907, p. 240.

In 1871 the General Assembly refused to erect a new Presbytery in the Indian Ter-

ritory, because "it does not appear that the number of ministers now constitutionally requisite for the formation of a Presbytery are found among the petitioners or in the proposed region."—Digest, p. 178. "The Presbytery of New Orleans not having had, for several years, the constitutional number of ministers, was dissolved, and its ministers and churches were ordered to be attached to the Presbytery of Austin."—Digest, p. 178.

1. Ministers.—The Assembly has decided that "according to the Constitution of our Church, ministers, as such, whether with or without charge, are of equal power and privilege."—Digest, p. 209. It has also been held that ministers without charge are "constituent members of our church judicatures," and have "an equal voice with settled pastors and ruling elders of congregations in ecclesiastical governments."—Digest, p. 181.

The Assembly declined to take action, looking to a change in the Form of Government, so as to divide the ministry into two classes to be known as active and associate.—Min. G. A., 1907, p. 229.

(1) Without charge.—"Ministers without charge are required to unite with that Presbytery, within the geographical limits of which they ordinarily reside, or are nearest to, and to which they shall be amenable for the proper discharge of their ordination engagements."—Digest, p. 181. The Presbytery, however, is to decide "each such case" that may arise, "on its own merits."—Digest, p. 182.

(2) Becoming members of Presbytery.—Ministers become members of a Pres-

bytery (1) by ordination, (2) by transfer from another Presbytery, by duly certified letters of dismissal and recommendation, and (3) by transfers from other denominations.

(3) From other denominations.—Licentiates and ministers from other denominations may be received under the jurisdiction of a Presbytery as follows:

(a) "Every licentiate coming by certificate to any Presbytery in connection with the General Assembly from any portion of a corresponding ecclesiastical body, should be required to answer in the affirmative the constitutional questions directed by chap. xiv of our Form of Government to be put to our own candidates before they are licensed; and that in like manner every ordained minister of the gospel, coming from any Church in correspondence with the General Assembly by certificate of dismissal and recommendation, should be required to answer affirmatively the first seven questions directed by chap. xv. of our Form of Government to be put to one of our own licentiates when about to be ordained to the sacred office."—A. G. A., VI, 2.

(b) "Ministers connected with other denominations applying for membership in a Presbytery shall submit satisfactory evidence of possessing the qualifications of character and scholarship required of candidates and licentiates of this Church; shall be examined in theology, and in the discretion of Presbytery in other subjects, and shall answer in the affirmative questions 1 to 8, contained in section xii of this chapter."—F. G., Ch. XV, Sec. 16.

“When application is made by a minister of another Church for admission to Presbytery, Presbytery shall inquire concerning his character, his educational and professional training, the fact of his ordination, his ministerial standing in the body to which he belongs, and the motives which lead him to apply for admission to Presbytery. If this inquiry shall prove satisfactory, Presbytery may place his name on its roll. All applicants from other bodies shall be required, previous to their enrollment, to give their assent, in a public session of Presbytery, to the first seven questions prescribed in the Form of Government for ordination; but should the applicant not possess the same educational qualifications for ordination as those prescribed in our Standards, he shall not be enrolled as a member of Presbytery until at least six months after his application shall have been presented to Presbytery. He may be permitted to labor, in the interval, within the bounds of Presbytery.”—A. G. A., VI, 3.

(c) “Ministers coming to us from any Presbytery of the Presbyterian Church in the United States may be received on the same basis as those coming to us from one of our own Presbyteries.”—Digest, p. 1073.

(4) Membership ceases.—“All the rights and privileges of an individual in a Presbytery cease when at his request his dismissal is granted.”—Digest, p. 540.

(5) In transitu.—A minister “in transitu” is one who has been dismissed by letter from one Presbytery, and has not yet been received by another. He “shall be subject to the jurisdiction of the Pres-

bytery which dismissed him (but shall not deliberate or vote, nor be counted in the basis of representation to the General Assembly), until he actually becomes a member of another Presbytery; but, should he return the certificate of dismissal within a year from its date, the Presbytery shall make record of the fact, and restore him to the full privileges of membership."—B. D., Sec. 110.

(6) Reserved roll.—Ministers who absent themselves from Presbytery, and whose residence is unknown from year to year, may be reported apart from others, their names being placed on a reserve roll; and such shall not be counted in determining representation in the Assembly.—Digest, p. 668.

(7) Erased from roll.—A Presbytery was permitted to erase from its roll, without prejudice, the name of a minister whose whereabouts were unknown.—Digest, p. 969.

(8) Certificate.—“A Presbytery, giving a certificate of dismissal to a minister, licentiate, or candidate for licensure, shall specify the particular body to which he is recommended; and, if recommended to a Presbytery, no other than the one designated, if existing, shall receive him.”—B. D., Sec. 111. The Assembly was asked: “Can a minister of one Presbytery unite with any other Presbytery than that designated in his letter of dismissal? Answered in the negative.”—Digest, p. 796.

The fact of the reception of one holding such a certificate “shall be promptly communicated to the Presbytery dismissing him.”—B. D., Sec. 115.

(a) Presbytery cannot authorize its moderator or stated clerk, or both, to grant certificates of dismissal.—Digest, p. 201.

(b) Presbytery cannot appoint a committee to grant certificates of dismissal.—Digest, p. 201.

(c) Presbyteries cannot receive persons under their jurisdiction "on the faith of forthcoming letters," i. e., on promises of letters not yet granted by the Presbyteries having jurisdiction.

(9) Demission.—A Presbytery may allow a minister "to demit the office, and return to the condition of a private member in the Church, ordering his name to be stricken from the roll of the Presbytery, and giving him a letter to any church with which he may desire to connect himself."—B. D., Sec. 51.

(a) But a minister seeking demission "may, at the discretion of the Presbytery, be put on probation, for one year at least, in such a manner as the Presbytery may direct."—B. D., Sec. 51. "This section of the Book of Discipline evidently gives permission to the Presbytery to allow demission only after a year's consideration by the Presbytery and the minister."—Digest, p. 1089.

(b) Ministers cannot be required to seek demission.—Digest, p. 1089.

(c) Should a minister who has demitted his office desire again to enter the ministry, "he should be reordained."—Digest, p. 664.

(10) Deposition.—If an accused minister "be found guilty," he may be "deposed from office."—B. D., Sec. 40.

(a) "It is irregular and unconstitutional

for any Presbytery to receive and restore a member of another Presbytery who has been deposed." Presbyteries guilty of this offense have been compelled to reconsider their actions.—Digest, p. 662.

(b) A minister who has been deposed must be reordained in order to be restored to his office.—Digest, p. 664.

2. Ruling elders.—Churches are entitled to be represented in Presbytery by elders, as follows:

(1) One congregation.—"Every congregation, which has a stated pastor, has a right to be represented by one elder; and every collegiate church by two or more elders, in proportion to the number of its pastors."—F. G., Ch. X, Sec. 3.

(2) Two or more congregations.—"Where two or more congregations are united under one pastor, all such congregations shall have but one elder to represent them."—F. G., Ch. X, Sec. 4. Each Session in its turn should furnish the elder. "When two churches in different Presbyteries, or Synods, are so situated as to make it apparent to the Presbyteries to which they belong that they should be united in one pastoral charge, the pastoral relation may be constituted; and both churches shall for the time being be under the care of that Presbytery of which the pastor is a member, and this Presbyterial relation shall continue only so long as they retain the same pastor."—A. G. A., VII, 5. But this "does not apply to congregations served by stated supplies."—Digest, p. 968.

(3) Vacant congregation.—"Every vacant congregation, which is regularly or-

ganized, shall be entitled to be represented by a ruling elder in Presbytery."—F. G., Ch. X, Sec. 5. The Assembly of 1903 defined "a vacant church" as follows: "Every church or congregation is vacant which has not a pastor duly installed or a regular supply appointed by the Presbytery."—Digest, p. 1075. In 1895, the Assembly affirmed that "every congregation or church is vacant which has not a pastor duly installed."—Digest, p. 148.

II. MEETINGS OF PRESBYTERY.—

1. Stated Meetings.—"The Presbytery shall meet on its own adjournment."—F. G., Ch. X, Sec. 10. The number of stated meetings "is determined by the necessities of the case. Most Presbyteries hold two. City Presbyteries often have monthly meetings."—Hodge, p. 237.

2. Adjourned meeting.—"It is a continuation of a meeting of Presbytery. It may be at another place, and after days, weeks or even months have passed, but the time and place must be provided for before the adjournment. No call or notice or circular letter is necessary, unless required by a special resolution. The object of an adjourned meeting is to complete the business before Presbytery."—Hodge, p. 238.

"The adjourned meeting is a continuation of the stated meeting. The Session should represent itself at the stated meeting; but if it have failed to do so, it then ought to represent itself at the adjourned meeting, and its representative should be enrolled as such."—Digest, p. 967.

3. Pro re nata meetings.—"When any

emergency shall require a meeting sooner than the time to which it stands adjourned, the moderator, or, in case of his absence, death, or inability to act, the stated clerk, shall, with the concurrence, or at the request of two ministers and two elders, the elders being of different congregations, call a special meeting," etc.—F. G., Ch. X, Sec. 10. A meeting *pro re nata* must be called by the moderator chosen at the stated meeting of the Presbytery, and not by one chosen *pro tempore* at a previous *pro re nata* meeting.—Digest, p. 226. Applicants for a meeting *pro re nata* may name a "time and place which the moderator may not change."—Digest, p. 226. The "moderator is not the judge of the necessity of a *pro re nata* meeting."—Digest, p. 970.

4. Outside of its own bounds.—"We see no constitutional or valid objection against a Presbytery agreeing to meet without its own geographical limits."—Digest, p. 226.

5. Changing the place of meeting.—"Whenever from any cause it shall be necessary to change the place of the regularly appointed meeting of a Presbytery, its stated clerk shall, at the request of at least three-fourths of the clerks of its church Sessions, be authorized to secure another place of meeting, and to issue his official call for the meeting of the Presbytery accordingly."—A. G. A., VII, 3.

6. Private meetings.—See this book, Chapter I, Section VI.

7/ Interlocutory meetings.—See this book, Chapter I, Section VII.

III. A QUORUM.—“Any three ministers, and as many elders as may be present belonging to the Presbytery, being met at the time and place appointed, shall be a quorum competent to proceed to business.”—F. G., Ch. X, Sec. 7. “Any three ministers of a Presbytery, being regularly convened, are a quorum competent to the transaction of all business, agreeably to the provision contained in the Form of Government, Chap. X, Sec. 7.”—Digest, p. 185. Less than three ministers cannot be a quorum.—Digest, p. 186.

“The Assembly declares that for a Synod to legalize the entire proceedings of a Presbytery had without a quorum is in direct conflict with the constitutional requirement of a quorum, and that the proper body to ratify and confirm any irregular and informal proceedings of a Presbytery when no quorum was present, is the Presbytery itself, at a subsequent meeting when there was a quorum.”—Digest, p. 968.

But in certain instances the Assembly has approved of the reception of a minister by less than a quorum.—Digest, p. 190.

IV. SERMON AND PRAYER.—“At every meeting of Presbytery, a sermon shall be delivered, if convenient; and every particular session shall be opened and closed with prayer.”—F. G., Ch. X, Sec. 11. A minister of another Presbytery may be invited to preach the sermon.—Digest, p. 227.

V. THE MODERATOR.—See this book, Chapter I, Section I.

“The moderator of the Presbytery shall be chosen from year to year, or at every meeting of the Presbytery, as the Presbytery may think best.”—F. G., Ch. XIX, Sec. 3.

VI. THE CLERK.—See this book, Chapter I, Section II.

VII. CORRESPONDING MEMBERS.—

“The permanent officers of a judicatory shall have the rights of corresponding members in matters touching their several offices.”—G. R. J., XLII.

“Ministers in good standing in other Presbyteries, or in any sister Churches, who may happen to be present, may be invited to sit with the Presbytery, as corresponding members. Such members shall be entitled to deliberate and advise, but not to vote in any decisions of the Presbytery.”—F. G., Ch. X, Sec. 12. The ecclesiastical bodies with which “such members” are identified should be named in the record.—Digest, p. 228. Only ministers can be corresponding members.—Digest, p. 974.

VIII. THE POWERS OF THE PRESBYTERY.—The Presbytery is charged with certain duties and powers. Among the latter, mention may be made of the following:

1. To receive and issue appeals, complaints and references.—F. G., Ch. X, Sec. 8. These of course must “be regularly brought before it from church Sessions.”

(1) A reference.—“A reference is a representation in writing, made by an inferior to a superior judicatory, of a judi-

cial case not yet decided. Generally, however, it is more conducive to the public good that each judicatory should fulfill its duty by exercising its own judgment."—B. D., Sec. 77; B. D., Secs. 78-82; Digest, p. 693.

(2) A complaint.—“A complaint is a written representation by one or more persons, subject and submitting to the jurisdiction of an inferior judicatory, to the next superior judicatory against a particular delinquency, action, or decision of such inferior judicatory in a non-judicial or administrative case.”—B. D., Sec. 83.

(a) Written notice of complaint must be filed within ten days after the action taken, of which complaint is made.—B. D., Sec. 84

(b) The complaint and records in the case must be lodged with the clerk of the superior judicatory before the close of the second day of its regular meeting.—B. D., Sec. 84.

(c) “The parties to a complaint shall be known, respectively, as complainant and respondent—the latter being the judicatory complained of, which should always be represented by one or more of its number appointed for that purpose, who may be assisted by counsel.”—B. D., Sec. 89.

(d) “Whenever a complaint is entered in a non-judicial or administrative case against a decision of a judicatory, by at least one-third of the members recorded as present when the decision was made, the execution of the decision shall be stayed until the final issue of the case by

the next superior judicatory."—B. D., Sec. 85. "The effect of a complaint, in a non-judicial or administrative case, if sustained, may be the reversal, in whole or in part, of the action or decision complained of."—B. D., Sec. 88.

For a full presentation of the Assembly's decisions on the various phases of complaints, see the Digest, pp. 697-720.

(3) An appeal.—"An appeal is the removal of a judicial case, by a written representation, from an inferior to a superior judicatory; and may be taken, by either of the original parties, from the final judgment of the lower judicatory. These parties shall be called appellant and appellee."—B. D., Sec. 94.

(a) What is a "judicial case?" "Every case in which there is a charge of an offense against a church member or officer, shall be known, in its original and appellate stages, as a judicial case. Every other case shall be known as a non-judicial or administrative case."—B. D., Sec. 5a. "A non-judicial case is a case which has to do simply with matters or administration, such, for instance, as the issuing of a certificate of dismissal or the calling of a congregational meeting. The distinction between a non-judicial and a judicial case lies in the fact, that the latter deals always with an alleged or actual offense, in connection with which process has been duly initiated."—Roberts, p. 299.

(b) Who are "the original parties?" "The original parties are the parties concerned in the origin of the dispute."—Hodge, p. 195. "When the prosecution is initiated by a judicatory, the Presby-

terian Church in the United States of America shall be the prosecutor, and an original party; in all other cases the individual prosecutor shall be an original party."—B. D., Sec. 10.

(c) Appeals are limited to judicial cases. "The complaint of A. D. Metcalf, etc., against the Synod of Virginia, for deciding that appeals may lie in cases not judicial, was taken up. The complaint was sustained."—Digest, p. 721.

(d) "Final judgments in judicial cases shall be subject to reversal and modification only by appeal."—B. D., Sec. 94.

(e) "Appeals are, generally, to be taken to the judicatory immediately superior to that appealed from."—B. D., Sec. 102. The Digest, p. 784, cites cases, which were taken directly from Presbyteries to the Assembly. In a note, the editor speaks as follows: "The principle as to appeals guiding the Assembly seems to be that where there is no sufficient reason for passing by the next superior court, the case should go there. But where good reasons for carrying it directly to the Assembly are assigned, it will be entertained." Note.—Digest, p. 784.

(f) What is the effect of an appeal on the judgment? "When the judgment directs admonition or rebuke, notice of appeal shall suspend all further proceedings; but in other cases the judgments shall be in force until the appeal is decided."—B. D., Sec. 100. The Assembly was asked to answer the following question: "Whether, when a person is suspended from the church by a Session, and restored by the Presbytery, the notice

of appeal by the Session continues the person under suspension; and if so, how long can such suspension be continued without the appeal being issued?" Answer: "The notice of appeal does continue the person under suspension until the appeal is issued, which must be at the next meeting of the upper court."—Digest, p. 778.

(g) "Written notice of appeal, with specifications of the errors alleged, shall be given, within ten days after the judgment has been rendered."—B. D., Sec. 96. Digest, pp. 729-731.

(h) The clerk must file all the papers connected with the case not later than the second day of the regular meeting of the judicatory to which appeal is taken.—B. D., Sec. 96.

(i) The Presbytery may, if it so elects, refer any "judicial case" to a "judicial commission," consisting of at least seven members, a majority of whom should be ministers.—B. D., Sec. 118.

2. To examine and license candidates.—F. G., Ch. X, Sec. 8. "The Holy Scriptures require that some trial be previously had of them who are to be ordained to the ministry of the gospel, that this sacred office may not be degraded, by being committed to weak or unworthy men; and that the churches may have an opportunity to form a better judgment respecting the talents of those by whom they are to be instructed and governed. For this purpose Presbyteries shall license probationers to preach the gospel, that after competent trial of their talents, and receiving from the churches a good report, they

may, in due time, ordain them to the sacred office."—F. G., Ch. XIV, Sec. 1.

(1) A candidate is taken on trial.—"Every candidate for licensure shall be taken on trials by that Presbytery to which he most naturally belongs; and he shall be considered as most naturally belonging to that Presbytery within the bounds of which he has ordinarily resided."—F. G., Ch. XIV, Sec. 2. The Assembly lays special stress upon this point.—Digest, p. 549.

(2) Must file application.—"Every applicant seeking to be taken under the care of Presbytery as a candidate for the ministry shall file his application at least three months before the meeting of Presbytery, addressing the same to the chairman of the education committee of the Presbytery, in the care of the stated clerk, in order that the committee may have ample time to make a careful investigation of his Christian character, physical and mental qualifications, and his previous education; and no person shall be received by Presbytery as a candidate for the ministry who has not been recommended by the Session of the church of which he is a member, under whose care he shall have been for a period of at least six months. And no exception shall be made to this rule without a unanimous vote of Presbytery."—C. R., No. 3, Sec. 1.

It has been enacted "that candidates be not allowed to take their church letters out of the bounds of the Presbytery which has charge over them until they are dismissed to the care of another Presbytery into whose bounds they may then be taken."—Digest, p. 551.

(3) Examined annually.—“Presbytery shall examine annually, in person or by letter, all candidates under its care, concerning their Christian experience, their progress in study, and their fidelity to the doctrines of the Church.”—C. R., No. 3, Sec. 2.

(4) Responsible to the Session for his conduct.—A candidate “is still a member of the particular church, and therefore is responsible to the Session in all things concerning his Christian conduct.”—Hodge, p. 201.

(5) Responsible to Presbytery for his studies.—“The Presbytery has charge of his studies, and must be the judge of his diligence and ability, and decide when he may be licensed or his name be stricken from the roll of candidates.”—Hodge, p. 201. Digest, p. 560.

(a) The Presbytery “shall also advise with them [candidates] concerning their course of study, and the institutions in which they are to pursue their studies.”—C. R., No. 3, Sec. 2.

(b) “Candidates are required, except in extraordinary cases, and then only with the explicit permission of their Presbyteries, to pursue a thorough course of study, preparatory to that of theology, in institutions that sympathize with the doctrinal teachings of the Presbyterian Church; and, when prepared, to pursue a three years’ course of theological studies in some seminary connected with the same Church.”—Digest, p. 359.

(c) The Assembly, in 1904, affirmed “that candidates for our ministry should be educated, so far as possible, in institutions

of our own Church, or those in hearty sympathy with it," and it "direct all Presbyteries to require that the theological course be taken in institutions approved" by it.—Digest, p. 1071.

(6) Examined as to his experimental acquaintance with religion.—"It is the duty of the Presbytery, for their satisfaction with regard to the real piety of such candidates, to examine them respecting their experimental acquaintance with religion, and the motives which influenced them to desire the sacred office. This examination shall be close and particular."—F. G., Ch. XIV, Sec. 3.

(7) Examined as to his proficiency in scholarship.—"The Presbytery shall try each candidate, as to his knowledge of the Latin language; and the original languages in which the Holy Scriptures were written. They shall also examine him on the arts and sciences; on theology, natural and revealed; and on ecclesiastical history, the sacraments, and church government. And in order to make trial of his talents to explain and vindicate, and practically to enforce, the doctrines of the gospel, the Presbytery shall require of him, 1. A Latin exegesis on some common head in divinity. 2. A critical exercise; in which the candidate shall give a specimen of his taste and judgment in sacred criticism; presenting an explication of the original text, stating its connection, illustrating its force and beauties, removing its difficulties, and solving any important questions which it may present. 3. A lecture, or exposition of several verses of scripture; and, 4. a

popular sermon. These, or other similar exercises, at the discretion of the Presbytery, shall be exhibited until they shall have obtained satisfaction as to the candidate's piety, literature, and aptness to teach in the churches."—F. G., Ch. XIV, Secs. 4, 5. "Candidates for licensure, in addition to the examination required by chap. xiv, sec. 4, of the Form of Government, shall be diligently examined in the English Bible; and shall be required to exhibit a good knowledge of its contents, and of the relation of its separate parts and portions to each other."—C. R., No. 2.

(a) The seminaries "should insist more strenuously on college graduation by candidates before they be permitted to enter on their theological studies."—Digest, p. 1070.

In 1907, the Assembly resolved, "That the authorities of our seminaries shall strictly enforce the rule regarding the necessity of a college diploma as a condition of admission to our seminaries, and that if the equivalent examination be taken, it be made searching and thorough."—Min. G. A., p. 207.

By the same Assembly it was also resolved, "That a requirement in the English Bible shall be demanded upon entrance of all students in each of our seminaries, and that the seminaries shall report upon this matter in the next annual report to the General Assembly."—Min., p. 208.

(b) "Presbyteries are recommended to strengthen their committees of education by putting on them the wisest men in the Presbytery; to entrust to them the examination of candidates with respect to per-

sonal religion and motives for seeking the ministry; to hold special meetings for the examination of candidates for licensure or ordination where full time cannot otherwise be allowed for the all-important work; to combine written with oral examinations for the better testing of candidates; to enter into and maintain correspondence with other Presbyteries in order that the same standard of strict attention to the watch and care of candidates may everywhere prevail for the common advantage and protection."—Digest, p. 1070.

(c) "Inasmuch as many of the students coming out of our seminaries display a lamentable lack of practical knowledge of the English Bible, the directors or trustees of such seminaries as have not already provided such courses be urged to arrange for regular instruction in the contents and use of the English Bible."—Digest, p. 1051.

(d) The Assembly recommends to each of the theological seminaries of the Church to provide instruction in the principles and methods of modern Sabbath-school work; also upon the history, objects and operations of each of the Boards of the Church.—Digest, p. 1051.

(e) The Assembly suggest "that all the students be required to pass an examination on the Confession of Faith and the Form of Government before receiving their diplomas."—Digest, p. 1051.

(f) The Assembly "recommends to such institutions of learning under the control of our Church, as may find it desirable and practicable to do so, the inauguration of

a two years' course of special instruction and training for persons intending to enter" the Sabbath-school missionary work.—Digest, p. 1051.

(8) The Latin exegesis.—Overtures were presented to the Assembly in 1893, "asking for an amendment to the Form of Government, with a view to the omission of the Latin exegesis from the parts of trial required at the examination of probationers for the ministry." The Assembly replied that "a sufficient relief is afforded by the right of Presbytery to make exceptions."—Digest, p. 554. Another overture before the same Assembly asked for an amendment, striking out the words, "The Latin exegesis on some common head of divinity," and substituting in their place the words, "An essay or dissertation on some prescribed subject in Christian theology." The Assembly answered "that Presbyteries are at liberty, under our Constitution, to substitute such dissertation or essay at their discretion."—Digest, p. 555.

"Judicial case No. 9, being the appeal and complaint of the Rev. J. G. Mason, D.D., against the Synod of New Jersey. The question in this case is whether the Presbytery erred in excusing a candidate for the ministry from the Latin exegesis, required as one of the parts of trial for licensure. As the Assembly of 1893 decided that in this specific matter there may be exceptions, and as there is nothing in the record showing that the exception made in the case complained of was based upon insufficient grounds, we recommend that the appeal be dismissed."—Digest, 1070.

"It is discretionary for a Presbytery . . . to omit the Latin exegesis as a part of trial of a candidate."—Bittinger, Sec. 638.

(9) Extraordinary cases.—"It is recommended that no candidate, except in extraordinary cases, be licensed, unless, after his having completed the usual course of academical studies, he shall have studied divinity at least two years, under some approved divine or professor of theology."—F. G., Ch. XIV, Sec. 6. In 1891, the Assembly adopted the following: "In respect to the 'extraordinary cases' provided for in our Form of Government, chap. xiv, sec. 6, the discretionary power vested in the Presbyteries should be exercised with great caution and with supreme regard to the welfare of the entire Church. Wherever the full collegiate course is found to be impracticable, the student should be required to pursue, not a short or partial, but a full course of three years in some theological institution, and this course should be introduced, wherever possible, by at least one year of special preparatory training. The candidate for such exceptional course should be not less than twenty-five years of age, of special promise as to talents and capacity for usefulness, and of approved piety, having a fair degree of education, and so circumstanced providentially, that he can prosecute to the end whatever studies the Presbytery may prescribe. As cases of this kind are presenting themselves in considerable numbers, our theological seminaries are advised to provide suitable courses of study in which the full period of three

years may be profitably employed, and are authorized to receive such persons under their instruction when they are duly approved by the Presbyteries. The Presbyteries are also hereby required to make a full record of their action in each instance of this class, including a statement of the several exceptions allowed and this record should be furnished to the faculty of the institution where such student is received."—Digest, p. 557.

(a) "No candidate shall receive license to preach until he has been under the care of Presbytery for at least one year, except in extraordinary cases and by consent of three-fourths of the members of Presbytery present."—F. G., Ch. XIV, Sec. 6.

(b) License limited to four years.—"Every license to preach the gospel shall expire at the end of the period of four years, unless the candidate holding the same shall, before the expiration of that time, be called to permanent labor in the work of the Church. But the Presbytery under whose care such licentiate may be, may, in its discretion, extend his license for the period of one year."—A. G. A., VII, 6.

(c) When a licentiate's services are not edifying.—"When a licentiate shall have been preaching for a considerable time, and his services do not appear to be edifying to the churches, the Presbytery may, if they think proper, recall his license."—F. G., Ch. XIV, Sec. 11.

(d) Licentiate and vacant churches.—"The Presbyteries are enjoined to take the oversight of their licentiate and their va-

cant churches, bringing in the one for the supply of the other, and, through the Home Missionary Committees of the Synods to which the Presbyteries belong, to seek to introduce their candidates to the widest fields of labor, and to furnish them full opportunity of practically showing their fitness for the Christian ministry."—Digest, p. 559.

(e) Local evangelists.—"It shall be lawful for Presbytery, after proper examination as to his piety, knowledge of the Scriptures, and ability to teach, to license, as a local evangelist, any male member of the Church, who, in the judgment of Presbytery, is qualified to teach the gospel publicly, and who is willing to engage in such service under the direction of Presbytery. Such license shall be valid for but one year unless renewed, and such licensed local evangelist shall report to the Presbytery at least once each year, and his license may be withdrawn at any time at the pleasure of Presbytery. The person securing such license shall not be ordained to the gospel ministry, should he desire to enter it, until he shall have served at least four years as a local evangelist, and shall have pursued and been examined upon what would be equivalent to a three years' course of study in theology, homiletics, church history, church polity, and the English Bible, under the direction of Presbytery."—C. R., No. 1.

In 1897, the Assembly held that a Constitutional Rule is of "the same force as if it were incorporated in the Form of Government," and it is also held that such a "rule is general in its application."—Digest, p. 559.

(f) "Compliance with the provisions of Constitutional Rule No. 1 does not exempt a local evangelist from the necessity of formal licensure, prior to ordination, and that he should be examined before Presbytery, first for formal licensure, and then later again for ordination, in accordance with the provisions of the Form of Government, ch. xiv."—Digest, p. 1071.

(g) "Although candidates and licentiates are in training for the gospel ministry, and in consequence of this are placed under the care of Presbyteries, and in certain respects become immediately responsible to them, yet they are to be regarded as belonging to the order of the laity till they receive ordination to the whole work of the gospel ministry."—Digest, p. 560.

In 1901, the Assembly held that "a person, when ordained, thereby ceases to be a member of the local church to which he belongs; that the local church cannot give him a letter of dismissal to Presbytery, but that he should at once advise the church of the fact that he has been ordained, in order that his name may be erased from its roll."—Digest, p. 1072.

(h) Licentiates may solemnize marriage where state laws permit.—"While our Form of Government does not recognize licentiates as ministers of the gospel, yet this Assembly do not consider them as violating any rules of the church by solemnizing marriages in those States where the civil laws expressly authorize them to do it."—Digest, p. 561.

3. The Presbytery has power to ordain, install, remove, and judge ministers.—F. G., Ch. X, Sec. 8.

(1) Presbytery has power to ordain.—Ordination “is the solemn consecration of a person, by prayer and the laying on of hands, to an office in the Church.”—Hodge, p. 203.

(a) Trials for ordination.—“Trials for ordination, especially in a different Presbytery from that in which the candidate was licensed, shall consist of a careful examination as to his acquaintance with experimental religion; as to his knowledge of philosophy, theology, ecclesiastical history, the Greek and Hebrew languages, and such other branches of learning as to the Presbytery may appear requisite; and as to his knowledge of the Constitution, the rules and principles of the government and discipline of the Church; together with such written discourse, or discourses, founded on the word of God, as to the Presbytery shall seem proper.”—F. G., Ch. XV, Sec. 11. The “extraordinary cases,” mentioned in the Form of Government, chap. xiv, sec. 6, for licensure; and also those who may enter the ministry through the door of “local evangelists,” provided for in Constitutional Rule, No. 1, appear to constitute exceptions to certain parts of trials herein set forth.

(b) Ordination is a presbyterial act, consequently it cannot be performed by a commission.—“Presbyteries only are competent to ordain ministers.”—Digest, p. 194. “Ordination either by a committee or by a commission of Presbytery is contrary to the express provisions of chapter xv, section 12, of the Form of Government.”—Digest, p. 192.

In 1904, in answer to an overture “ask-

ing whether Presbytery has the power to act by commission in other than judicial business," the Assembly "answered in the negative."—Digest, p. 969.

(c) Ordination *sine titulo* (without title), i. e., "without relation to a particular charge" (Digest, 1886, p. 413), discouraged.—Form of Government, chapter xv, section 10, provides that the licentiate shall be ordained in the church where he is to serve as pastor. Form of Government, chapter xv, section 15, provides for the ordination of a licentiate "to the work of the gospel ministry, as an evangelist to preach the gospel, administer sealing ordinances, and organize churches, in frontier or destitute settlements." Nevertheless, the Assembly "earnestly recommended to all our Presbyteries, not to ordain, *sine titulo*, any men, who propose to pursue the work of their ministry in any section of the country where a Presbytery is already organized to which they may go as licentiates and receive ordination."—Digest, p. 193. "Teachers, professors, editors, etc., whose work is approved by Presbytery, may be ordained *sine titulo*, provided, from a full view of their qualifications and circumstances, the Presbytery shall think it expedient to ordain them."—Hodge, p. 207.

(d) Ministers should be ordained in the presence of the people among whom they are to labor. See Form of Government, chapter xv, sections 10, 12. The General Assembly has declared that "the ordination of ministers in the presence of the people among whom they are to

labor, is calculated to endear them very much to their flocks."—Digest, p. 192.

"The last sentence of section 10, in chapter xv, of the Form of Government, requires that in such case the Presbytery shall dismiss the candidate to the care of the other Presbytery before ordination."—Digest, p. 1072. But this sentence "does not include foreign missionaries."—Digest, p. 1072.

"The ordination of a candidate for the ministry who has been invited to labor under the supervision of the home mission committee in another Presbytery, and who serves a home mission field as a stated supply, should ordinarily be conducted by the Presbytery within whose bounds he expects to labor."—Digest, p. 1072.

(2) The Presbytery has power to install ministers.—Installation is "the settlement of a minister over a congregation as its pastor."—Hodge, p. 208.

(3) The Presbytery has power to remove ministers.—See Form of Government, chapter xvi, sections 1-3. By removing ministers is meant "releasing them from the charge of a church. This may be done (1) at the pastor's request; (2) on the petition of the congregation; (3) according to the desire of pastor and people; (4) when the Presbytery judges it expedient, even though the pastor and his people remonstrate, and even without a formal meeting of the congregation; (5) at the petition of some other church which may desire his services; (6) the Synod may on appeal order the removal of a pastor; (7) the Presbytery, after trying

charges against a pastor and finding him innocent, should 'determine the question of the expediency of the continuance of the pastoral relation, in such a manner as they may judge to be just to the contending parties and for the interest of religion.' (8) The General Assembly may require his services elsewhere."—Hodge, p. 209.

(4) The Presbytery has power to judge ministers.—"The judicatory, to which a church member or a minister belongs, shall have sole jurisdiction for the trial of offenses whenever or wherever committed by him."—B. D., Sec. 108. "Original jurisdiction, in relation to ministers, pertains to the Presbytery; in relation to others, to the Session. But the higher judicatories may institute process in cases in which the lower have been directed so to do, and have refused or neglected to obey."—B. D., Sec. 18.

(a) Ministers hold their church, as well as their official membership, in the Presbytery. The Presbytery controls the church membership of a minister as well as his official relations. If an accused minister "be found guilty, he shall be admonished, rebuked, suspended or deposed from office (with or without suspension from church privileges, in either case), or excommunicated."—B. D., Sec. 40. "If a minister is deposed without excommunication, his pulpit, if he is a pastor, shall be declared vacant; and the Presbytery shall give him a letter to any church with which he may desire to connect himself where his lot may be cast, in which shall

be stated his exact relation to the Church."—B. D., Sec. 44.

(b) Ministers cannot be enrolled as members of a local church.—So the General Assembly determined as far back as 1843.—Digest, p. 174. "He cannot be enrolled as a communicant of a particular church, nor vote at church meetings."—Hodge, p. 52. It has been decided that a minister cannot be elected to office in a particular church, because he cannot hold his membership therein.—Digest, p. 528; Hodge, pp. 52, 57, 308; Bittinger, Sec. 864; and Roberts, p. 137.

4. To examine and approve or censure the records of church Sessions.—F. G., Ch. X, Sec. 8.—"Every Session shall keep a fair record of its proceedings; which record shall be, at least once in every year, submitted to the inspection of the Presbytery."—F. G., Ch. IX, Sec. 9. "Every judicatory above a Session shall review, at least once a year, the records of the proceedings of the judicatory next below; and, if the lower judicatory shall omit to send up its records for this purpose, the higher may require them to be produced, either immediately, or at a specified time, as circumstances may determine."—B. D., Sec. 71.

"Resolved, That it be and it hereby is required of all the Presbyteries within the bounds of the General Assembly annually to call up and examine the sessional records of the several churches under their care, as directed in the Book of Discipline."—Digest, p. 213.

5. To resolve questions of doctrine or discipline.—F. G., Ch. X, Sec. 8. "It can-

not change the forms of doctrine or of discipline, but it can declare the meaning and application of the standards of our Church in reply to overtures from the Session. These deliverances, however, are binding only over the churches under the care of that Presbytery, and may be reversed by the higher courts on review or on complaint."—Hodge, p. 231.

6. To condemn erroneous opinions.—F. G., Ch. X, Sec. 8. See this work, Chapter I, Section IX.

7. To visit churches.—F. G., Ch. X, Sec. 8. It has been held that the Presbytery has the right to exercise this power "without being requested by the Session" so to do.—Digest, p. 214. "This may be done (1) on the petition of the Session or of any person or persons in the church; (2) or without any such request, the Presbytery having reason to believe that there may be evils that need its influence to redress; or (3) in the exercise of its duty of oversight of the churches."—Hodge, p. 231. This visitation may be made by the Presbytery as a body, or by a committee. It cannot be made by a commission, since the Assembly has held that a Presbytery cannot act by a commission "in other than judicial business."

"The evils are to be removed by the Presbytery through the Session, to which body the members of the church are primarily responsible. An elder may be, by advice of Presbytery, with or without his consent, retired from the active duties of his office. If the visit is by a committee, the power of the committee depends upon

the will of the Presbytery."—Hodge, p. 232.

(1) The dissolution of a church is in the discretion of Presbytery.—“A Presbytery, in the exercise of the powers given it by section 8, chapter x, of our Form of Government, must be its own judge as to the causes that are sufficient to justify it in dissolving any church in its connection. If any wrong is done to a church by such a presbyterial act its remedy is to be found in an appeal to a higher judicatory.”—Digest, p. 216. “The action of the Synod of Philadelphia and of the Presbytery of Philadelphia, North, in the premises, was by the General Assembly reversed, for the reason that Hermon church had no previous notice of the contemplated action of the Presbytery in dissolving the church.” See full account of this case in the Digest, p. 217.

(2) A church may not withdraw from Presbytery without the latter's consent.—“So far as it is ecclesiastically concerned, it cannot withdraw regularly without first asking consent and leave of the Presbytery under whose care and jurisdiction it voluntarily places itself. Questions of property must be determined by the courts of the State.”—Digest, p. 215.

S. To unite or divide congregations at the request of the people, or to form or receive new congregations, and in general to order whatever pertains to the spiritual welfare of the churches under their care.—
F. G., Ch. X, Sec. 8.

(1) Unite churches.—The General Assembly in 1896 held that Presbytery has power to unite churches.—Digest, p. 220.

(2) Divide churches.—The General Assembly in 1896, also held that “the Presbytery are competent to divide a church on the petition of a portion of its members, and especially of a majority of its members.”—Digest, p. 219.

(3) Sole power.—The General Assembly of 1896 resolved that “Presbytery, under our form of government, has the sole power, within its jurisdiction, to form, unite, and divide churches.”—Digest, p. 218. For presbyterial authority in the organization of churches, see this book, Chapter II, Section I.

(4) The location of a new church.—“Overture proposing the following question: ‘Does chapter x, section 8, of the Form of Government, defining the powers of the Presbytery, give the Presbytery the right to exercise control over the erection of church buildings within its bounds, both in the case of new organizations expecting to build and of old congregations proposing a change of location?’ Answered in the affirmative.”—Digest, p. 219.

(5) Spiritual welfare.—Presbytery may order whatever pertains to the spiritual welfare of the churches under its care.—F. G., Ch. X, Sec. 8.

(a) A Presbytery dissolves a pastoral relation on its own discretion, for the peace and welfare of the church.—Digest, p. 220.

(b) The Presbytery exercises power over the pulpits of its vacant churches. “Every church or congregation is vacant which has not a pastor duly installed or a regular supply appointed by the Presbytery.”—Digest, p. 1075. “Stated supplies should

not preach in the pulpits of any Presbytery without its consent; and when the consent is refused, the Presbytery to which such minister serving as stated supply belongs, being notified, should recall him within its own bounds. The Presbytery has power to determine who shall stately preach in the pulpits of its churches."—Digest, p. 222.

(c) "In order that every member of the congregation may be trained to give of his substance systematically, and as the Lord has prospered him, to promote the preaching of the gospel in all the world and to every creature, according to the command of the Lord Jesus Christ, it is proper and very desirable that an opportunity be given for offerings by the congregations in this behalf every Lord's Day, and that, in accordance with the Scriptures, the bringing of such offerings be performed as a solemn act of worship to almighty God."—D. W., Ch. VI, Sec. 1. Read also Secs. 2-5.

The Assembly has enacted "that each Presbytery be charged to encourage in all its churches some plan of systematic giving to every Board, according to ch. vi, Directory for Worship, and to this end that it be made an item of regular business at one of the stated meetings of Presbytery each year to call the roll of the churches and hear their responses on this matter; and their reasons for not contributing shall not be sustained unless they are special and satisfactory."—Digest, p. 1117.

(6) The Presbytery must see that pulpits are supplied, where there are no pas-

tors.—“Every Presbytery shall arrange for the supply of the vacant pulpits within its bounds either by direct action at a meeting or through a committee. The Session of a vacant church may receive leave to supply the pulpit for a period to be fixed by Presbytery, subject to the limitation contained in the fourth section of this chapter. Ministers, licentiates, and local evangelists connected with the Presbyteries of this church shall be the only persons to be employed as regular supplies in vacant churches. It shall be the duty of ministers not engaged in regular church work to render service in vacant congregations within the bounds of their respective Presbyteries, unless excused by act of Presbytery. Ministers of other denominations in correspondence with this General Assembly may be employed as occasional supplies. When the pulpit of any congregation has been vacant for a longer period than twelve months, the appointment of ministers for the pulpit shall be made by the Presbytery, and shall continue to be so made until a pastor has been elected by the congregation and duly installed by the Presbytery.”—F. G., Ch. XXI, Secs. 2-4.

(7) Plan of vacancy and supply.—In 1905 the Assembly adopted the following: “Each Presbytery shall appoint a committee, either an existing Standing Committee or a new one, under the provisions of chapter xxi, of the Form of Government, as amended in 1901, to have supervision of all vacant churches within its bounds, except as otherwise arranged for by the Presbytery; the term of service

of members to be not less than three years.

"It shall be the duty of this Committee to prepare and keep a list of the vacant churches in the Presbytery, and of such of its unemployed ministers as are competent for service and not relieved from the active work of the ministry; and also to endeavor to arrange for the supply of these churches from its list of available ministers, and from such other sources as may be suggested by correspondence; all details of adjustment, such as the amount to be paid supplies, the sum to be contributed by the churches, and the duration of assignments to particular churches, being left to each Presbytery.

"It shall be the persistent aim of the Presbytery and its Committee to bring the vacant churches to the full support of this arrangement for temporary supply. But if, in the judgment of the Presbytery, pecuniary aid is needed beyond the amounts contributed by the vacant churches themselves, the Presbytery, through its Committee, may apply for aid to the Board of Home Missions, or in the case of churches belonging to self-supporting Synods, to the home mission and sustentation committees of such Synods.

"In each Synod there shall be a committee on vacancy and supply, preferably to be composed of the chairmen or other representatives of the presbyterial committees within the bounds of the Synod, whose duty it shall be to report annually to the Synod on the work in its charge, to unify the work within the Synod's bounds, to bring about better relations of supply

and demand, and to furnish such information to the presbyterial committees as may contribute to their knowledge and efficiency.

“When a Synod has a synodical missionary or superintendent of home missions, he shall be the medium of correspondence on vacancy and supply, under the direction of the synodical committee, and shall perform such other duties as the committee shall require. In all other cases the synodical committee shall appoint one of its own members to perform the duties above mentioned.

“For the purpose of establishing a medium of communication between the several Presbyteries and the Synods, the general care of the work of vacancy and supply shall be assigned to the Board of Home Missions, with this proviso, that the board shall act only in an advisory capacity, except in the matter of applications for pecuniary aid. The board shall appoint one of its assistant secretaries to have charge of the work under the direction of the board, who shall be the medium of correspondence between the Board and the committees and officers of Presbyteries and Synods having in charge vacancy and supply. Any additional expenses incurred by the board in the discharge of this particular duty shall be paid out of its funds.

“The Board of Home Missions, and each of the self-supporting Synods through the Board, shall present an annual report to the General Assembly on vacancy and supply, and these reports shall be referred to the standing committee on home missions.”—Digest, pp. 1075, 1076.

In 1907, the Assembly adopted the following: "That the chairman of the committee on vacancy and supply in each Presbytery forward to the officer of the Board of Home Missions in charge of the department a list of the churches becoming vacant as soon as this knowledge comes to him. He shall also give for private use (not for publication) all necessary information regarding salary, the condition of the church, etc.

"That the officer of the Board of Home Missions having in charge the matter shall send to said chairman of said presbyterial committee the names of ministers seeking a settlement, with such recommendation as such minister may furnish."—Min., p. 94.

In 1891, the Assembly said: "Under our Constitution, the Presbytery is officially the pastor of every vacant church within its bounds. The question whether any such church shall continue to exist is one which the Presbytery alone can solve; and if such continued existence is deemed desirable, it is directly incumbent upon the Presbytery to provide, in some way, for the spiritual necessities of every such organization. It may group these small churches together in a joint pastorate, or in a wider circuit; it may associate some weak church with some stronger one as a single charge; it may appoint an adjacent pastor to be for the time the minister and shepherd to the little flock; it may bring in the service of intelligent elders, competent to teach and counsel, and willing to be engaged in such oversight. The General Assembly judges that by presby-

terial diligence and faithfulness in these directions, much of the evil resulting from these numerous vacancies would be avoided, and many of these feeble churches might speedily be nourished into vigor and usefulness. It therefore lays the obligation to such faithfulness and diligence directly on the conscience of each Presbytery, and of every minister in each Presbytery, whether engaged in the pastoral care or in some other form of ministerial service, as one which true loyalty to the Church and to Christ will permit no one to neglect. In adopting this resolution, the General Assembly recognizes with special satisfaction the allusion to the ruling elders as possible agents and instruments in providing for the special needs of these feeble churches."—Digest, p. 588.

IX. CLOSING THE PRESBYTERY.—See this work, Chapter I, Section VIII.





CHAPTER V.

The Synod.

I. MEMBERSHIP.—“As a Presbytery is a convention of the bishops and elders within a certain district; so a Synod is a convention of the bishops and elders within a larger district, including at least three Presbyteries.”—F. G., Ch. XI, Sec. 1. In exceptional cases a Synod may be organized within the boundaries of existing Synods, “in the interests of ministers and churches speaking other than the English language, or of those of a particular race.”—F. G., Ch. X, Sec. 2.

See this work, Chapter IV, Sec. I.

“The Synod may be composed, at its own option, with the consent of a majority of its Presbyteries, either of all the bishops and an elder from each congregation in its district, with the same modifications as in the Presbytery, or of equal delegations of bishops and elders, elected by the Presbyteries on a basis and in a ratio determined in like manner by the Synod itself and its Presbyteries.”—F. G., Ch. XI, Sec. 1.

“Should any Synod vote to become a delegated body, its decision shall be submitted to its Presbyteries, and shall take effect when ratified by a majority thereof. This result shall be ascertained at a subsequent meeting of the Synod; or, if the

Synod so provide, the result shall be certified to the moderator and clerks of the Synod, and by them be communicated to the several Presbyteries as a basis for electing delegates to the ensuing or second meeting."—Digest, p. 229.

"If the members neglect its meetings or fail in their duty, they must be reported to the courts to which they are responsible. But the Synod, as the General Assembly, may expel a member for contempt or disorderly conduct."—Hodge, p. 252.

I. Ministers.—"According to the Constitution of our Church, ministers, as such, whether with or without charge, are of equal power and privilege."—Digest, p. 209. It has been held that ministers without charge are "constituent members of our church judicatures" and have "an equal voice with settled pastors and ruling elders of congregations in ecclesiastical government."—Digest, p. 181.

Presbyteries may elect ministers who are "without pastoral charge" to represent them in delegated Synods.—Digest, p. 971.

2. Ruling elders.—In non-delegated Synods the churches in the bounds of the Synod are entitled to representation under the same regulations that churches are entitled to representation in the Presbytery. See this work, Chapter IV, Section I, 2.

In delegated Synods the Presbyteries, and not the Sessions, choose the elders, as well as the ministers, who are to compose the Synod.

II. MEETINGS OF SYNOD.—

1. Stated meetings.—"The Synod shall convene at least once in each year."—F. G., Ch. XI, Sec. 5.

2. When it fails to meet on its own adjournment.—The Synod of Philadelphia failed to meet, “according to its last adjournment,” whereupon the General Assembly resolved that the moderator of the Synod “ought to be considered as competent to call a meeting of the same, and that he do accordingly call a meeting,” etc.—Digest, p. 241.

“The moderator shall be considered as competent to fix any time and place he may judge proper for convening the body; and if he be absent, that the members assembled shall represent the matter speedily to him, that he may act accordingly.”—Digest, p. 242.

3. Pro re nata meetings.—“There is no such special provision in the ‘Form of Government.’ But the General Assembly determined (in 1796) that special meetings are constitutional, and confirmed this in 1829 and 1832, and the N. S. Assembly in 1855. Judging from ‘Form of Government,’ ch. x, secs. 7 and 10, and the change in the Constitution proposed in 1832, it would seem that the moderator of Synod should call a pro re nata meeting at the request of three ministers and three elders, and that these ministers should not be all from the same Presbytery. The notice should be sent to all the ministers and churches of the Synod. The notice must specify the object of the meeting, and nothing can be done which is not specified in the call, as the Synod is a larger Presbytery, the provision of Form of Government, chapter x, for the calling of pro re nata meetings of Presbytery, would seem to authorize those of the Synod. And the

powers given to moderators include that of calling such meetings."—Hodge, p. 249.

In 1878 the Assembly held that the moderator of the Synod of Cincinnati had acted within the law, in calling a pro re nata meeting of the Synod for the purpose of approving the minutes.—Digest, p. 241.

4. Changing the place of meeting.—“Whenever from any cause it shall be necessary to change the place of the regularly appointed meeting of a Synod, its stated clerk shall, at the request of the stated clerks of at least three-fourths of its Presbyteries, be authorized to secure another place of meeting, and to issue his official call for the meeting of the Synod accordingly.”—A. G. A., VII, 4.

5. Private sessions.—See this book, Chapter I, Section VI.

6. Interlocutory sessions.—See this book, Chapter I, Section VII.

III. A QUORUM.—“Any seven ministers, belonging to the Synod, who shall convene at the time and place of meeting, with as many elders as may be present, shall be a quorum to transact synodical business; provided not more than three of the said ministers belong to one Presbytery.”—F. G., Ch. XI, Sec. 2.

“Judging from the decisions of the General Assembly in regard to the quorum of Presbyteries, seven ministers would form a quorum of Synod.”—Hodge, p. 246. “According to the decision of the Assembly that ‘ministers are not only preachers and administrators of sealing ordinances, but also ruling elders in the very nature of their office,’ a quorum may consist wholly of ministers.”—O. S., 1848. Bittinger, Sec. 870.

IV. SERMON AND PRAYER.—At the opening of Synod “a sermon shall be delivered by the moderator, or, in case of his absence, by some other member; and every particular session shall be opened and closed with prayer.”—F. G., Ch. XI, Sec. 5. It is mandatory that a sermon be delivered “at the opening” of the Synod. The Assembly not only holds that a sermon is necessary, but that it must be delivered at the opening and not at some subsequent time. See Digest, p. 246.

The Assembly criticised a Synod which “was opened with a popular meeting, when two addresses were delivered, instead of a sermon by the moderator or his substitute, as prescribed in the Form of Government.”—Digest, p. 977.

V. THE MODERATOR.—See this book, Chapter I, Section I.

VI. THE CLERK.—See this book, Chapter I, Section II.

VII. CORRESPONDING MEMBERS.—

“The permanent officers of a judicatory shall have the rights of corresponding members in matters touching their several offices.”—G. R. J., XLII.

“The same rule, as to corresponding members, which was laid down with respect to the Presbytery, shall apply to the Synod.”—F. G., Ch. XI, Sec. 3. See this book, Chapter IV, Section VII.

VIII. THE POWERS OF THE SYNOD.—

The Synod is charged with certain duties and powers. Among the latter, mention may be made of the following:

1. To receive and issue all appeals, complaints, and references.—“The Synod has power to receive and issue all appeals,

complaints, and references, that are regularly brought before it from the Presbyteries, and to decide finally in such cases all questions that do not affect the doctrine or Constitution of the Church, provided, that cases may be transmitted to judicial commissions as prescribed in the Book of Discipline."—F. G., Ch. XI, Sec. 4.

For a discussion of "appeals, complaints, and references," see this work, Chapter IV, Section VIII, 1.

(1) A judicial commission.—The Synod may elect from the ministers and ruling elders subject to its jurisdiction a judicial commission, which shall be composed of not less than eleven members, a majority of whom shall be ministers, and transmit to such commission any judicial case for hearing.—Book of Discipline, Sec. 118. Read also sections 119-124.

(2) Final court of appeal.—Except in cases involving doctrinal and constitutional questions, the Synod is the final court of appeal. The Synod has power "to decide finally in such cases all questions that do not affect the doctrine or Constitution of the Church."—F. G., Ch. XI, Sec. 4.

"A careful examination of the instructions of the last General Assembly, of the action of the Synod of Minnesota, and of the complaint of Dr. West, fails to discover any question of doctrine or any constitutional question involved in the decision of the Synod of Minnesota, or presented in the complaint of Dr. West, which would justify the consideration of this complaint by the General Assembly. In the judgment of your committee, the

action of the Synod being final, according to our law, the complaint of Dr. West cannot come properly before the Assembly. We recommend, therefore, that the complaint of Rev. Dr. West be dismissed.'—Digest, p. 245.

(3) Synod has no original jurisdiction.—The Synod "has no original jurisdiction, either over ministers, as the Presbytery has, or over the elders and communicants, as the Session has. It cannot institute judicial process, and can consider such only on review, reference or complaint, or appeal from the Presbyteries."—Hodge, p. 251.

The Assembly, in considering the appeal of Mr. Davis from "the proceedings of the Synod of the Carolinas," affirmed that the said Synod "in deciding that they had a right to try Mr. Davis, when there was no reference nor appeal in his case before them, they have not strictly adhered to the Constitution of the Presbyterian Church."—Digest, p. 244.

(4) The effect of the decision of Synod in an appeal case.—"If no one of the specifications be sustained, and no error be found by the judicatory in the record, the judgment of the inferior judicatory shall be affirmed. If one or more errors be found, the judicatory shall determine, whether the judgment of the inferior judicatory shall be reversed or modified, or the case remanded for a new trial."—B. D., Sec. 99.

(5) Judicial cases described.—Judicial cases must be described; their character defined and the significance of and rea-

sons for the judgment set forth.—Digest, p. 249.

(6) A special record must be sent up of all judicial decisions.—“In view of the importance of the judicial decisions made by Synods and synodical commissions, the Synods are enjoined to send up to the Assembly, in special communications, all records of such decisions.”—Digest, p. 251.

(7) Record must be kept.—The subject matter of complaints and the disposal made of them must be recorded.—Digest, p. 247, and p. 250.

2. To review the records of Presbyteries, and approve or censure them.—F. G., Ch. XI, Sec. 4. But a judicial decision cannot be reversed by review of records.—Digest, p. 1091.

3. To redress whatever has been done by Presbyteries contrary to order.—F. G., Ch. XI, Sec. 4.

“All proceedings of the Session, the Presbytery, and the Synod (except as limited by chapter xi, section 4, of the Form of Government), are subject to review by, and may be taken to, a superior judicatory, by general review and control, reference, complaint, or appeal.”—B. D., Sec. 70.

4. To take effectual care that Presbyteries observe the Constitution of the Church.—F. G., Ch. XI, Sec. 4.

“If a judicatory is, at any time, well advised of any unconstitutional proceedings of a lower judicatory, the latter shall be cited to appear, at a specified time and place, to produce the records, and to show what it has done in the matter in question; after which, if the charge is sus-

tained, the whole matter shall be concluded by the judicatory itself, or be remitted to the lower judicatory, with directions as to its disposition."—B. D., Sec. 75.

5. To erect new Presbyteries, and to unite or divide those which were before erected.—F. G., Ch. XI, Sec. 4.

"The bounds of Presbytery can be changed by Synod after approval by the Presbyteries interested. If the proposed change affects the boundaries of Synods, those Synods must be consulted and the matter referred to the General Assembly."—Hodge, p. 184.

6. To take such order with respect to the Presbyteries, Sessions, and people under their care, as may . . . tend to promote the edification of the church.—F. G., Ch. XI, Sec. 4.

(1) Synod has jurisdiction over ministers of an extinct Presbytery.—Such ministers "are to be considered as under the direction of their proper Synod."—Digest, p. 203.

(2) Can the Synod order a Presbytery to dissolve a pastoral relation?—"The Presbytery alone can form or dissolve a pastoral relation. If the Presbytery refuse, the decision may on complaint be reversed by Synod."—Hodge, p. 253.

(3) The Synod has power to direct a Presbytery to issue, to a communicant, a certificate.—Digest, p. 245.

IX. WHAT RECORD SHALL THE SYNOD KEEP?

"It shall be the duty of the Synod to keep full and fair records of its proceedings, to submit them annually to the inspection of the General Assembly, and to

report to the Assembly the number of its Presbyteries, and of the members and alterations of the Presbyteries."—F. G., Ch. XI, Sec. 6.

"Absentees must be recorded and all the changes in the Presbyteries. In 1874 it was declared to be 'contrary to the spirit and principles of the Presbyterian Church, and subversive of the true design of ecclesiastical discipline, for a superior judicatory to compel an inferior court to reverse its decision, rendered after full, fair and impartial trial, without assigning and placing on record some specific reason for such reversal.' In 1878 the Assembly made exceptions to its approval of the minutes of a Synod because, although the reasons of vote on a complaint were given, 'the subject matter of the said complaint is not recorded. This defect disables the Assembly from deciding as to the validity of the reasons given for the vote of the Synod in the case.' 'It does not appear from their records whether the Synod took further action upon said complaint than to vote upon it and give reasons for that vote; thereby leaving the Assembly in doubt whether the Presbytery complained of was censured, or whether the matter of the complaint was referred back to them for re-adjudication, or whether the Synod dropped it entirely.' The absentees must be recorded, judicial cases stated, and overtures answered described. The pages must be numbered. The record should show all changes in the Presbyteries and adopted reports, and must be approved by

the Synod and attested by the stated clerk."—Hodge, p. 257.

Except in delegated Synods the names of absentees must be recorded, and the names of churches not represented must also be recorded; and there must be a final roll-call, the result of which should be recorded.—Digest, p. 978.

Action taken and reports adopted must be recorded. A narrative of the state of religion should be prepared and recorded.—Digest, p. 979.

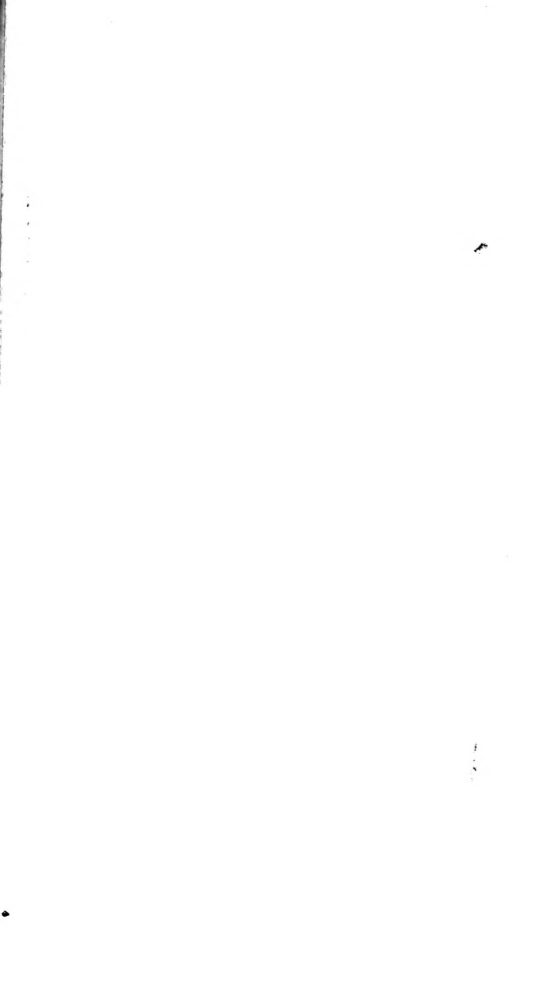
Commissions cannot be appointed to approve the minutes.—Digest, p. 980.

X. REPORT TO THE ASSEMBLY.—“(1) A report of all the changes in the Presbyteries. (2) A statistical report of the ministers, churches, licentiates, candidates within their bounds, and how distributed, the changes in the number and arrangements of their Presbyteries, the names of the stated clerks of the Presbyteries, the place and hour of the next stated meeting, and the name of the moderator and stated clerk of Synod. (3) A narrative of the state of religion within its bounds. This must be sent to the Assembly and recorded in the minutes of Synod.”—Hodge, p. 259.

XI. MINUTES PRINTED.—In 1884 the Assembly recommended “that any Synod, which shall so elect, be authorized to keep its minutes in printed form, and to dispense with written records; provided (1) that such printed minutes be complete and accurate in all details; (2) that they be uniform as to size of page with the minutes of the Assembly; (3) that the copy submitted by each Synod to the

Assembly for review be attested by the certificate of the stated clerk of the Synod in writing; and that blank pages be left at the end for recording any exceptions that may be taken; (4) that at least two additional copies of each and every issue be transmitted to the stated clerk of the Assembly, and two deposited in the library of the Presbyterian Historical Society."—Digest, p. 258.

XII. CLOSING THE SYNOD.—See this work, Chapter I, Section VIII.



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CHAPTER VI.

The General Assembly.

"The General Assembly is the highest judicatory of the Presbyterian Church. It shall represent, in one body, all the particular churches of this denomination; and shall bear the title of The General Assembly of the Presbyterian Church in the United States of America."—F. G., Ch. XII, Sec. 1.

In 1907, the Assembly was overtured in regard to changing the name of the Church; but declined to take any action.—Min., p. 121.

"The radical principles of Presbyterian Church government and discipline are: That the several different congregations of believers, taken collectively, constitute one Church of Christ, called emphatically the Church;—that a larger part of the Church, or a representation of it, should govern a smaller, or determine matters of controversy which arise therein;—that, in like manner, a representation of the whole should govern and determine in regard to every part, and to all the parts united; that is, that a majority shall govern: and consequently that appeals may be carried from lower to higher judicatories, till they be finally decided by the collected wisdom and united voice of the whole Church."—F. G., Ch. XII, Note.

I. MEMBERSHIP.—“The General Assembly shall consist of an equal delegation of bishops and elders from each Presbytery, in the following proportion; viz: each Presbytery consisting of not more than twenty-four ministers, shall send one minister and one elder; and each Presbytery consisting of more than twenty-four ministers, shall send one minister and one elder for each additional twenty-four ministers, or for each additional fractional number of ministers not less than twelve; and these delegates, so appointed, shall be styled, Commissioners to the General Assembly.”—F. G., Ch. XII, Sec. 2.

1. Commissioners elected.—“The commissioners to the General Assembly shall always be appointed by the Presbytery from which they come, at its last stated meeting, immediately preceding the meeting of the General Assembly; provided, that there be a sufficient interval between that time and the meeting of the Assembly, for their commissioners to attend to their duty in due season; otherwise, the Presbytery may make the appointment at any stated meeting, not more than seven months preceding the meeting of the Assembly.”—F. G., Ch. XXII, Sec. 1.

2. Alternate commissioners.—“It may be expedient for each Presbytery, in the room of each commissioner, to appoint also an alternate commissioner to supply his place, in case of necessary absence.”—F. G., Ch. XXII, Sec. 1.

3. A commission.—“Each commissioner, before his name shall be enrolled as a member of the Assembly, shall produce from his Presbytery, a commission under

the hand of the moderator and clerk."—F. G., Ch. XXII, Sec. 2.

4. Full number.—"Is the provision of the Form of Government (Chap. xii, Sec. 2) for sending commissioners to the General Assembly by each Presbytery mandatory or discretionary? (1) As to sending an equal number of bishops and elders? (2) As to sending the full number to which each Presbytery is entitled?" Answer: Mandatory as to both.—Digest, p. 278.

5. An elder not a member of Presbytery.—The election of an elder as a commissioner to the Assembly, "if he is a member of a church under the care of Presbytery," though he is not a member of the Presbytery electing him, is valid.—Digest, p. 595. But an elder who has been dismissed by one church to another is not eligible.—Digest, p. 595.

6. When Presbytery fails to meet.—From the cases cited by the Digest, pp. 589, 590, it seems that the Assembly determines each case of this character on its merits, when the emergency arises.

7. Alternate may take the place.—"The General Assembly has in several instances admitted to seats in its own body, during the progress of its annual meeting, an alternate in place of a principal who wished to be absent during the residue of the meeting."—Digest, p. 594.

8. Will not go behind a commission.—"It would be a dangerous precedent, and would lead to the destruction of all order in the Church of Christ, to permit unauthorized verbal testimony to set aside an authenticated written document."—Di-

gest, p. 597. But in a case where neither the principal nor alternate could attend, the Assembly, on a petition signed by a majority of the members of the interested Presbytery, seated another minister as a commissioner.—Digest, p. 1077.

9. A commissioner expelled.—In 1866, the Assembly expelled a member because he had written and published “a gross, abusive, scandalous and slanderous libel against the members of this Assembly.”—Digest, p. 299.

10. Commissioners should remain.—“The General Assembly earnestly recommended to its Presbyteries, as far as possible, the appointment as commissioners of those only who are able and willing to remain to the close of its sessions.”—Digest, p. 592. Each Presbytery should “require their commissioners to report whether they attended the sessions of the Assembly the whole time, and that the report of the commissioners on this subject be recorded on the minutes of the Presbytery.”—Digest, p. 591.

11. Leave of absence.—“Resolved, That, as a Standing Rule of the Assembly, a committee be appointed, whose duty it shall be to consider all applications for leave of absence, with power to decide on the same, in place of the house, and with instructions to require in every case satisfactory reasons for the necessity of such absence, and to report to the house, at the commencement of every session, the members so dismissed.”—M. G. A., p. 54.

12. Absentees may not participate in the commissioners' fund.—“It hereby is ordered that no commissioner who shall ob-

tain leave of absence within the first six days of the sessions shall be entitled to receive anything from the commissioners' fund, unless the General Assembly shall order otherwise, when the reasons for the application are given."—M. G. A., p. 54.

II. MEETINGS OF THE GENERAL ASSEMBLY.

1. Stated meetings.—"The General Assembly shall meet at least once in every year."—F. G., Ch. XII, Sec. 7. "Usage has fixed the third Thursday of May, at 11 a. m., as the time for the annual meeting of the Assembly."—Digest, p. 260.

In 1898, the Assembly, after mature deliberation, answered some overtures, asking that the General Assembly hold either biennial or triennial meetings, in the negative.—Digest, p. 1066.

2. Adjourned meetings.—Can such meetings be held, according to the law? "In 1846 the opinion of Chancellor Kent, of New York, was obtained, who says: 'I consider the power to be necessarily incident to every deliberative assembly, unless specially prohibited by its charter.' 'The Constitution of the Presbyterian Church leaves silently the same power of adjournment, precisely on the same footing of discretion.' In 1869 both Assemblies [Old School and New School] met in May in New York, and they adjourned to meet in the city of Pittsburg in November of the same year."—Hodge, p. 299.

3. Pro re nata meetings.—"In the N. S. Assembly, when meeting once in three years, the moderator, with the concurrence of the stated and permanent clerks, could call a pro re nata meeting in any

emergency, with four months' notice. After ten years trial this plan was abolished. The Assembly adjourns sine die, the moderator dissolving the Assembly, and requiring another General Assembly to be chosen and to meet at such a time and place."—Hodge, p. 300. "It is not a permanent body; it adjourns sine die, calling a new Assembly to meet the next year."—Hodge, p. 267.

4. Private sessions.—See this work, Chapter I, Section VI.

5. Interlocutory sessions.—See this work, Chapter I, Section VII.

6. Place of meeting.—"The General Assembly appointed in 1881 a permanent committee on the next place of meeting, which consists of the moderator for the time being, with the stated and permanent clerks. To this committee all invitations to the General Assembly are referred for consideration and report."—M. G. A., p. 79.

III. A QUORUM.—"Any fourteen or more of these commissioners, one-half of whom shall be ministers, being met on the day, and at the place appointed, shall be a quorum for the transaction of business."—F. G., Ch. XII, Sec. 3.

IV. OPENING SERMON.—"On the day appointed for that purpose, the moderator of the last Assembly, if present, or in case of his absence, some other minister, shall open the meeting with a sermon, and preside until a new moderator be chosen."—F. G., Ch. XII, Sec. 7.

See this work, Chapter VII, Section II.

V. OFFICERS OF THE GENERAL ASSEMBLY.

1. The moderator.—See this work, Chapter I, Section I.

2. The stated clerk.—See this work, Chapter I, Sections II, III.

“At the present time, the stated clerk is required to transcribe for the press the minutes ordered to be published from year to year; to superintend the printing of the minutes, and papers ordered to be printed; to distribute the minutes to persons entitled to them; to have charge of all the books and papers of the General Assembly; to give attested copies of all minutes and other documents; to receive all memorials, overtures and other papers addressed to the Assembly; to distribute the bound volumes of the reports of the boards; to have charge of the entire railroad arrangements for the transportation of commissioners; to transmit all overtures to the Presbyteries and receive the answers; under the direction of the moderator, to prepare and carry forward the business of the Assembly, including the printing of the roll, etc., during its sessions; to carry on the correspondence of the Assembly; to report to the Assembly upon the statistics of the Church; to perform all the duties of the treasurer, and to transact such other business directly pertaining to his office, as the Assembly may from time to time appoint.” He is also the “secretary, and custodian of the correspondence, of the ad interim committees,” without membership therein.—Digest, p. 271. M. G. A., pp. 28-31, 99. The salary of the stated clerk is \$5,000 per annum.

3. The permanent clerk.—"Resolved, That a permanent recording clerk be chosen, whose duty it shall be from year to year to draft the minutes of the Assembly during their sessions, and afterward to perform such services respecting the transcribing, printing and distributing the extracts as shall be assigned to him from time to time."—Digest, p. 272. The salary of the permanent clerk is \$500 per annum.

4. The temporary clerks.—"The number of temporary clerks is at present four, who are nominated to the Assembly by the stated and permanent clerks, and who serve without compensation."—M. G. A., p. 32.

5. The treasurer.—"Resolved, That the office of treasurer of the General Assembly, as a separate office be discontinued, and the duties thereof imposed upon the stated clerk."—Digest, p. 270. The stated clerk, as treasurer, is required to give bonds in the sum of \$5,000, signed by himself and two sureties.—M. G. A., p. 29.

VI. FUNDS OF THE GENERAL ASSEMBLY.—"The funds of the General Assembly are three in number; the mileage fund, the contingent fund, and the entertainment fund. Each Assembly determines what the apportionment shall be for these funds respectively."—M. G. A., p. 74.

See the "Assembly Funds," in the Acts of the General Assembly, III.

1. The Mileage fund.—This fund is designed to meet "the traveling expenses of the commissioners in coming to and returning from the Assembly." "In order

to avail themselves of the proceeds of this fund, the Presbyteries must contribute their full proportion to it according to the per capita rate."—Digest, p. 599.

2. The entertainment fund.—"The entertainment fund was established as a 'supplemental contingent expense fund' to 'be used for the purpose of meeting the expense of entertaining such commissioners as are not otherwise provided for.' Each Presbytery is requested to contribute to this fund."—M. G. A., p. 74.

3. The contingent fund.—"The contingent fund is used to meet the expenses of printing and mailing the annual minutes, payment of salaries, expenses of committees, and any other purpose directly connected with the business of the Assembly."—M. G. A., p. 75.

VII. CORRESPONDING MEMBERS.—

"The corresponding members of the General Assembly are of three classes.

1. The officers of the Assembly.—"The permanent officers of a judicatory shall have the rights of corresponding members in matters touching their several offices."

2. Secretaries of the boards.—"All the secretaries of the boards of the Church have the privilege of corresponding members of the General Assembly, in discussions bearing upon the interests of the boards which they severally represent.

3. Delegates from corresponding bodies.—Delegates regularly appointed by corresponding ecclesiastical bodies of equal rank with the Assembly, are entitled to the privilege of corresponding members, and may deliberate and advise, but not vote, upon matters which concern the

bodies which they represent.”—M. G. A., p. 41.

VIII. THE POWERS OF THE GENERAL ASSEMBLY.

1. Appeals and complaints.—“The General Assembly shall receive and issue all appeals, complaints, and references, that affect the doctrine or Constitution of the Church, and are regularly brought before it from the inferior judicatories; provided, that cases may be transmitted to the Permanent Judicial Commission of the General Assembly as prescribed in the Book of Discipline.”—F. G., Ch. XII, Sec. 4.

For a discussion of “appeals, complaints, and references,” see this work, Chapter IV, Section VIII, 1.

“The General Assembly shall elect a commission, which shall be called ‘The Permanent Judicial Commission of the General Assembly,’ and shall be composed of eight ministers and seven ruling elders, of whom not more than two shall belong to the same Synod. . . . The General Assembly may transmit to this commission any judicial case for hearing and decision.”—B. D., Sec. 125. Read sections 126-133.

“This Assembly has no authority to reverse the judicial acts of a former General Assembly, except in cases of such palpable error as would manifestly tend to interfere with the substantial administration of justice.” “It is not competent for this Assembly to revise the proceedings of a previous Assembly in a judicial case.”—Digest, p. 689.

2. Review synodical records.—“The General Assembly shall review the records

of every Synod and approve or censure them."—F. G., Ch. XII, Sec. 4.

3. Advice and instruction.—The General Assembly "shall give its advice and instruction, in all cases submitted to it, in conformity with the Constitution of the Church."—F. G., Ch. XII, Sec. 4. But "it does not appear that the Constitution ever designed that the General Assembly should take up abstract cases and decide on them, especially when the object appears to be to bring those decisions to bear on particular individuals not judicially before the Assembly."—Digest, p. 279.

4. The bond of union.—The General Assembly "shall constitute the bond of union, peace, correspondence and mutual confidence among all our churches."—F. G., Ch. XII, Sec. 4.

5. Decisions in controversies.—"To the General Assembly also belongs the power of deciding in all controversies respecting doctrine and discipline."—F. G., Ch. XII, Sec. 5. See Digest, pp. 281-288.

"The General Assembly has no right to remit the final decision of any matter affecting the doctrine of the Church to an inferior judicatory."—Digest, p. 281. The Assembly's "testimony on doctrine and morality is the Church's declaration of the meaning of the 'Confession of Faith,' and its application. And its judicial decisions are final and obligatory in all similar cases."—Hodge, p. 271. Hence, from the decision of the Assembly there can be no appeal. Its decision is final.

The United States Supreme Court, in the case of *Watson vs. Jones*, announced a very important rule, by which the civil

courts are usually governed, when called upon to pass on questions of doctrine or government, arising under the Presbyterian form of church government. The court said: "There are in the Presbyterian system of ecclesiastical government, in regular succession, the Presbytery over the Session or local church, the Synod over the Presbytery, and the General Assembly over all. These are called, in the language of the church organs, judicatories, and they entertain appeals from the decisions of those below, and prescribe corrective measures in other cases.

"In this class of cases we think the rule of action which should govern the civil courts, founded in a broad and sound view of the relations of Church and State under our system of laws, and supported by a preponderating weight of judicial authority, is that, whenever the questions of discipline or faith or ecclesiastical rule, custom or law, have been decided by the highest of these church judicatories to which the matter has been carried, the legal tribunals must accept such decisions as final, and as binding on them in their application to the case before them."—Digest, p. 137.

In 1906, union between the Presbyterian Church in the U. S. A., and the Cumberland Presbyterian Church was consummated. But in the Cumberland Presbyterian Church, a number refused to acknowledge the authority of the Church in effecting the union, and set up a claim for the property, local and general. This resulted in an appeal to the civil courts, in various states, to test property rights. The Su-

preme Court of the State of Georgia handed down a decision in harmony with that of the United States Supreme Court, in the case of *Watson vs. Jones*, cited above. At the time this book goes to press, the Supreme Court in no other State has had an opportunity to pass on the question; though several inferior courts, in different states, have handed down decisions in harmony with that of the Supreme Court of Georgia.

6. Testimony against error.—To the General Assembly belongs the power “of re-proving, warning, or bearing testimony against error in doctrine, or immorality in practice, in any church, Presbytery, or Synod.”—F. G., Ch. XII, Sec. 5.

See this work, Chapter I, Section IX.

7. Over synods.—To the General Assembly belongs the power “of erecting new Synods when it may be judged necessary.”—F. G., Ch. XII, Sec. 5. “It determines their formation and boundaries. At the reunion the Assembly erected fifty-one Synods. In 1881 the Synods were consolidated and reduced in number to twenty-three. Others have since been added. . . . New Synods are organized by the Assembly on petition of the Presbyteries. If the Presbyteries interested have not been consulted, the petition is rejected. If they belong to different Synods, both must be consulted. The Assembly may dissolve a Synod and distribute its Presbyteries. It may order a Synod to meet or to change its time and place of meeting. It may require a Synod to examine the state of religion in its bounds, and report the next year. It must examine and review

the records of Synod. It may cite Synods to appear and answer charges of irregularities in doctrine, government or discipline, and disown those which have departed from the Standards of the Church."—Hodge, p. 272. Digest, p. 299.

The Assembly, of 1907, adjusted the boundaries of the Synods occupying the territory which had been occupied by the Synods of the Cumberland Presbyterian Church, previous to the union of the two Churches. See Min. G. A., 1907, p. 141.

8. Superintending the work of the church.—To the General Assembly belongs the power "of superintending the concerns of the whole church."—F. G., Ch. XII, Sec. 5. Digest, p. 340.

9. Corresponding with foreign Churches.—To the General Assembly belongs the power "of corresponding with foreign Churches, on such terms as may be agreed upon by the Assembly and the corresponding body."—F. G., Ch. XII, Sec. 5. Digest, p. 311. The General Assembly has formed the following organic unions: in 1811 with the Presbytery of Charleston; in 1822 with the Associate Reformed Synod; in 1852 with Charleston Union Presbytery; in 1869 the O. S. Assembly with the N. S. Assembly; in 1885 with the Philadelphia Presbytery of the Reformed Presbyterian Church; and in 1906 with the General Assembly of the Cumberland Presbyterian Church.

10. Schismatical contentions.—To the General Assembly belongs the power "of suppressing schismatical contentions and disputations."—F. G., Ch. XII, Sec. 5.

11. Reformation of manners.—To the

General Assembly belongs the power "of recommending and attempting reformation of manners, and the promotion of charity, truth, and holiness, through all the churches under their care."—F. G., Ch. XII, Sec. 5.

12. Organization of new Presbyteries.—The General Assembly "may erect, modify, change and dissolve Presbyteries. In 1802 it divided the Presbytery of Albany into three new Presbyteries without the proposal being first brought before the Synod, but simply on the petition of the Presbytery. It declared, however, that this act was 'not to be considered as forming a precedent for future conduct.' In 1805, 1826 and 1827 Presbyteries were formed by the Assembly on petition of ministers and churches. In 1834 it was done against the decision of the Synod, the General Assembly claiming the right under the Constitution to determine the bounds of Presbyteries (1) when the question was brought by complaint or appeal; (2) under extraordinary circumstances; (3) as being the highest judicatory of the Church. This power was exercised both by the O. S. and N. S. Assemblies several times, and by the reunited Church. The Assembly may legalize the act of less than a quorum of Presbytery. It can define the succession of Presbyteries. It can appoint a committee to inquire into reported irregularities."—Hodge, p. 273.

The Assembly of 1907 adjusted the boundaries of the various Presbyteries occupying the territory which had been occupied by the Presbyteries of the Cumberland Presbyterian Church, previous to

the union of the two Churches. See Min. G. A., 1907, p. 141.

13. On Sabbath observance.—"The Sabbath is to be sanctified by a holy resting all that day, even from such worldly employments and recreations as are lawful on other days."—S. C., Q. 60.

"The General Assembly reiterates its strong and emphatic disapproval of all secular uses of the day, all games and sports, all traveling for pleasure and all excursions, and urges upon all employers of labor and captains of industry to recognize the need of the laboring man for his weekly rest day, and thereby insure his greater efficiency and happiness and the greater prosperity of both capital and labor.

"The General Assembly urges on all families not to buy anything on the Sabbath, to plan for their servants on the Sabbath and help them to fulfill their religious duties, and to pay laborers, so that they may have Saturday afternoon to make provision for the Sabbath.

"The General Assembly hereby reiterates its emphatic condemnation of the Sunday newspaper, and urges the members of the Presbyterian Church in the U. S. A. to refuse to subscribe for it or read it or advertise in it."—Min. G. A., 1907, p. 46.

14. On Divorce.—"Nothing but adultery, or such willful desertion as can no way be remedied by the Church or civil magistrate, is cause sufficient of dissolving the bond of marriage."—C. F., Ch. XXIV, Sec. 6.

Ministers are required to exercise "due

diligence before the celebration of a marriage to ascertain that there exist no impediments thereto, as defined in our Confession of Faith."—Digest, p. 954.

"Presbyteries are hereby enjoined to enforce the Standards of our Church, to hold to strict account all ministers under their care, and urge all ministers to regard the comity that should refrain from giving the sanction of our Church to members of another Church, whose marriage is in violation of the laws of the Church whose communion they have chosen."—Min. G. A., 1907, p. 199.

IX. DISSOLVING THE ASSEMBLY.—

"The whole business of the Assembly being finished, and the vote taken for dissolving the present Assembly, the moderator shall say from the chair—"By virtue of the authority delegated to me, by the Church, let this General Assembly be dissolved, and I do hereby dissolve it, and require another General Assembly, chosen in the same manner, to meet at _____ on the _____ day of _____ A. D. _____"—after which he shall pray and return thanks, and pronounce on those present the apostolic benediction."—F. G., Ch. XII, Sec. 8.



CHAPTER VII.

General Rules for Judicatories.

Adopted by the General Assembly in 1871 and Amended in 1885 and 1887.*

I. The Moderator shall take the chair precisely at the hour to which the judicatory stands adjourned; and shall immediately call the members to order; and, on the appearance of a quorum, shall open the session with prayer.

II. If a quorum be assembled at the time appointed, and the Moderator be absent, the last Moderator present, being a Commissioner, or if there be none, the senior member present, shall be requested to take his place without delay, until a new election.

III. If a quorum be not assembled at the hour appointed, any two members shall be competent to adjourn from time to time, that an opportunity may be given for a quorum to assemble.

*The following "General Rules for Judicatories," not having been submitted to the Presbyteries, make no part of the Constitution of the Presbyterian Church. Yet the General Assembly of 1871, considering uniformity in proceedings in all the subordinate judicatories as greatly conducive to order and dispatch in business, having revised and approved these rules, recommended them to all the lower judicatories of the Church for adoption.

IV. It shall be the duty of the Moderator, at all times, to preserve order, and to endeavor to conduct all business before the judicatory to a speedy and proper result.

V. It shall be the duty of the Moderator, carefully to keep notes of the several articles of business which may be assigned for particular days, and to call them up at the time appointed.

VI. The Moderator may speak to points of order, in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the judicatory by any two members.

VII. The Moderator shall appoint all committees, except in those cases in which the judicatory shall decide otherwise. In appointing the standing committees, the Moderator may appoint a Vice-Moderator, who may occupy the chair at his request, and otherwise assist him in the discharge of his duties.

VIII. When a vote is taken by ballot in any judicatory, the Moderator shall vote with the other members; but he shall not vote in any other case, unless the judicatory be equally divided; when, if he do not choose to vote, the question shall be lost.

IX. The person first named on any committee shall be considered as the chairman thereof, whose duty it shall be to convene the committee; and, in case of his absence or inability to act, the second named member shall take his place and perform his duties.

X. It shall be the duty of the clerk, as

soon as possible after the commencement of the sessions of every judicatory, to form a complete roll of the members present, and put the same into the hands of the Moderator. And it shall also be the duty of the clerk, whenever any additional members take their seats, to add their names, in their proper places, to the said roll.

XI. It shall be the duty of the clerk immediately to file all papers, in the order in which they have been read, with proper indorsements, and to keep them in perfect order. The Stated Clerk shall receive all overtures, memorials and miscellaneous papers addressed to the judicatory; shall make record of the same and deliver them to the Committee on Bills and Overtures for appropriate disposition or reference. This committee shall have the floor on the reassembling of the judicatory after each adjournment, to report its recommendations as to reference of papers, and this right of the committee shall take precedence of the Orders of the Day. This committee shall report the papers retained by it as well as those recommended for reference to other committees, and no committee shall report on matters which have not been referred to it by the judicatory.

XII. The minutes of the last meeting of the judicatory shall be presented at the commencement of its session, and, if requisite, read and corrected.

XIII. Business left unfinished at the last sitting is ordinarily to be taken up first.

XIV. A motion made must be seconded, and afterwards repeated by the Moderator, or read aloud, before it is debated; and

every motion shall be reduced to writing, if the Moderator or any member require it.

XV. Any member who shall have made a motion, shall have liberty to withdraw it, with the consent of his second, before any debate has taken place thereon; but not afterwards, without the leave of the judicatory.

XVI. If a motion under debate contain several parts, any two members may have it divided, and a question taken on each part.

XVII. When various motions are made with respect to the filling of blanks, with particular numbers or times, the question shall always be first taken on the highest number and the longest time.

XVIII. Motions to lay on the table, to take up business, to adjourn, and the call for the previous question, shall be put without debate. On questions of order, postponement, or commitment, no member shall speak more than once. On all other questions, each member may speak twice, but not oftener, without express leave of the judicatory.

XIX. When a question is under debate, no motion shall be received, unless to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend; which several motions shall have precedence in the order in which they are herein arranged; and the motion for adjournment shall always be in order.

XX. An amendment, and also an amendment to an amendment, may be moved on any motion; but a motion, to amend an amendment to an amendment, shall not

be in order. Action on amendments shall precede action on the original motion. A substitute shall be treated as an amendment.

XXI. A distinction shall be observed between a motion to lay on the table for the present, and a motion to lay on the table unconditionally, viz.: A motion to lay on the table, for the present, shall be taken without debate; and, if carried in the affirmative, the effect shall be to place the subject on the docket, and it may be taken up and considered at any subsequent time. But a motion to lay on the table, unconditionally, shall be taken without debate; and, if carried in the affirmative, it shall not be in order to take up the subject during the same meeting of the judicatory, without a vote of reconsideration.

XXII. The previous question shall be put in this form, namely, Shall the main question be now put? It shall only be admitted when demanded by a majority of the members present; and the effect shall be to put an end to all debate and bring the body to a direct vote: First, on a motion to commit the subject under consideration (if such motion shall have been made); secondly, if the motion for commitment does not prevail, on pending amendments; and lastly, on the main question.

XXIII. A question shall not be again called up or reconsidered at the same sessions of the judicatory at which it has been decided, unless by the consent of two-thirds of the members who were present at the decision; and unless the

motion to reconsider be made and seconded by persons who voted with the majority.

XXIV. A subject which has been indefinitely postponed, either by the operation of the previous question, or by a motion for indefinite postponement, shall not be again called up during the same sessions of the judicatory, unless by the consent of three-fourths of the members who were present at the decision.

XXV. Members ought not, without weighty reasons, to decline voting, as this practice might leave the decision of very interesting questions to a small proportion of the judicatory. Silent members, unless excused from voting, must be considered as acquiescing with the majority.

XXVI. When the Moderator has commenced taking the vote, no further debate or remark shall be admitted, unless there has evidently been a mistake, in which case the mistake shall be rectified, and the Moderator shall recommence taking the vote. If the House shall pass the motion to "vote on a given subject at a time named," speeches shall thereafter be limited to ten minutes. Should the hour for adjournment or recess arrive during the voting, it shall be postponed to finish the vote, unless the majority shall vote to adjourn; in which case the voting shall, on the reassembling of the house, take precedence of all other business till it is finished. Under this rule the "yeas and nays" shall not be called except on a final motion to adopt as a whole. This motion to fix a time for voting shall be put without debate.

XXVII. The yeas and nays on any ques-

tion shall not be recorded, unless required by one-third of the members present. If division is called for on any vote, it shall be by a rising vote without a count. If on such a rising vote the Moderator is unable to decide, or a quorum rise to second a call for "tellers," then the vote shall be taken by rising, and the count made by tellers, who shall pass through the aisles and report to the Moderator the number voting on each side.

XXVIII. No member, in the course of debate, shall be allowed to indulge in personal reflections.

XXIX. If more than one member rise to speak at the same time, the member who is most distant from the Moderator's chair shall speak first. In the discussion of all matters where the sentiment of the house is divided, it is proper that the floor should be occupied alternately by those representing the different sides of the question.

XXX. When more than three members of the judicatory shall be standing at the same time, the Moderator shall require all to take their seats, the person only excepted who may be speaking.

XXXI. Every member, when speaking, shall address himself to the Moderator, and shall treat his fellow-members, and especially the Moderator, with decorum and respect.

XXXII. No speaker shall be interrupted, unless he be out of order; or for the purpose of correcting mistakes, or misrepresentations.

XXXIII. Without express permission, no member of a judicatory, while business is

going on, shall engage in private conversation; nor shall members address one another, nor any person present, but through the Moderator.

XXXIV. It is indispensable, that members of ecclesiastical judicatories maintain great gravity and dignity while judicially convened; that they attend closely in their speeches to the subject under consideration, and avoid prolix and desultory harangues; and, when they deviate from the subject, it is the privilege of any member, and the duty of the Moderator, to call them to order.

XXXV. If any member act, in any respect, in a disorderly manner, it shall be the privilege of any member, and the duty of the Moderator, to call him to order.

XXXVI. If any member consider himself aggrieved by a decision of the Moderator, it shall be his privilege to appeal to the judicatory, and the question on the appeal shall be taken without debate.

XXXVII. No member shall retire from any judicatory without the leave of the Moderator, nor withdraw from it to return home without the consent of the judicatory.

XXXVIII. All judicatories have a right to sit in private, on business, which in their judgment ought not to be matter of public speculation.

XXXIX. Besides the right to sit judicially in private, whenever they think proper to do so, all judicatories have a right to hold what are commonly called "interlocutory meetings," in which members may freely converse together, with-

out the formalities which are usually necessary in judicial proceedings.

XL. Whenever a judicatory is about to sit in a judicial capacity, it shall be the duty of the Moderator solemnly to announce, from the chair, that the body is about to pass to the consideration of the business assigned for trial, and to enjoin on the members to recollect and regard their high character as judges of a court of Jesus Christ, and the solemn duty in which they are about to act.

XLI. In all cases before a judicatory, where there is an accuser or prosecutor, it is expedient that there be a committee of the judicatory appointed (provided the number of members be sufficient to admit it without inconvenience), who shall be called the "Judicial Committee," and whose duty it shall be to digest and arrange all the papers, and to prescribe, under the direction of the judicatory, the whole order of proceedings. The members of this committee shall be entitled, notwithstanding their performance of this duty, to sit and vote in the cause, as members of the judicatory.

XLII. The permanent officers of a judicatory shall have the rights of corresponding members in matters touching their several offices.

XLIII. The Moderator of every judicatory above the Church Session, in finally closing its sessions, in addition to prayer, may cause to be sung an appropriate psalm or hymn, and shall pronounce the apostolical benediction.

XLIV. Whenever a case is to be taken from an inferior judicatory to the General

Assembly, the Stated Clerk of such inferior judicatory shall, at least twenty days before the meeting of the General Assembly, send a notice concerning such case to the Stated Clerk of the Assembly, who shall forthwith notify the Chairman of the Permanent Judicial Commission, unless the General Assembly shall have ordered otherwise, that the services of the Commission will be needed at the approaching Assembly; but if no such notice shall be received by the Stated Clerk of the General Assembly, he shall forthwith notify the Chairman of the Permanent Judicial Commission that the services of the Commission will not be needed at the approaching Assembly.

CHAPTER VIII.

Additional Rules.

In Connection with Legislative Business,
Drawn from the Assembly's and
from General Practice.*

1. Adjournment. The motion to adjourn is not in order when a member has the floor.

The motion to adjourn when made at the last sitting upon each day, should always include the time on the day following to which the body adjourns.

The business interrupted by adjournment or recess is the first in order after the body reassembles, unless there be a special order on the Docket.

See, also, Recess.

2. Amendment. An amendment may be laid on the table without affecting another amendment or the original motion. This has been for years the practice in the General Assembly.

3. Appeal from the Chair. This appeal is ordinarily put in the following manner, "Shall the decision of the Chair stand as the decision of the Assembly?" A tie vote sustains the Chair.

*The "Additional Rules," taken from the Manual of the General Assembly for 1907, are reproduced, for the benefit of the inferior judicatories.

4. Committees. Appointment. When a Committee is appointed to deliberate upon a subject, it is the rule to appoint thereon members holding different views.

When a Committee is appointed to carry out a decision of the house, it is customary to appoint thereon only those who can support the action taken.

When a special Committee is appointed, it is customary to place on it the mover and seconder of the motion by which it was appointed. This custom, however, is not obligatory.

(1) Chairman. The chairman of a Committee may debate and vote, and may also act as clerk.

(2) Discharge. Committees in legislative bodies are discharged by the reception of their report. In the General Assembly, however, the Standing Committees are discharged at the final session by vote of the house, and special Committees are not regarded as discharged until the close of the Assembly.

(3) Excuse from Service. When persons are competent to serve, the appointing body only can excuse from service.

(4) Minority reports. The minority of a Committee may submit their views in writing, either together, or each member separately, but minority reports can be considered and acted upon, only by moving them as substitutes for the report of the Committee.

(5) Quorum. The quorum of a Committee is, in legislative practice, a majority of the members.

(6) Reception of reports. The word ac-

cept used for the reception of reports does not imply adoption.

(7) Reports. The report of a Committee, when received or accepted by the Assembly, is the property of the Assembly, and should be handed to the clerk, with all accompanying papers. See, also, Minority reports.

(8) Sub-committees. Committees may appoint Sub-committees.

(9) Vacancies. Committees cannot fill vacancies in their membership. Only the Assembly or the Moderator can act.

(10) Withdrawal. Committees must receive permission from the house to withdraw.

5. Committee of the Whole. Committees of the Whole are substantially what are designated in G. R. J., XXXIX, as "interlocutory meetings." The following pertinent rule has been approved in church courts: "Every court has a right to resolve itself into a Committee of the Whole, or to hold what are commonly called interlocutory meetings, in which members may freely converse together without the formalities necessary in their ordinary proceedings. In all such cases the Moderator shall name the member who is to preside as Chairman. If the Committee be unable to agree, a motion may be made that the Committee rise, and upon the adoption of such motion the Moderator shall resume the Chair, and the Chairman of the Committee shall report what has been done and ask that the Committee be discharged, which being allowed, the matter shall be dropped. If the Committee shall agree upon the report to

be made, or have made progress in the same without coming to a conclusion, the Committee may rise, report what has been done, and if the case require, may ask leave to sit again; or the Committee of the Whole may be dissolved, and the question considered by the court in the usual order of business."

6. Debate. The member presenting a motion or submitting a report has a right to close the debate.

Debate is not in order on debatable motions, after the Moderator has commenced taking the vote. See G. R. J., XXVI.

7. Elections. In all elections it requires a majority of the votes cast to elect.

8. Explanation. A personal explanation is not a question of privilege unless it affects the rights of a member.

See, also, Privilege.

9. Floor. A member who yields the floor for any purpose is entitled thereto upon the resumption of the business in connection with which he was speaking.

The mover of a motion is, by courtesy, entitled to the floor, if he so desire, after the Moderator has stated the question.

10. Jurisdiction over Members. Every legislative body has the right to call to account its members for objectionable conduct, and to inflict adequate penalties.

11. Minority Reports. See Committees.

12. Minutes. Minutes are to be approved by a motion duly adopted.

Minutes may be expunged by a unanimous vote.

Minutes may be corrected by a majority vote.

13. Motions. See Floor.

14. Nominations. A motion may be made to close nominations for any office, whenever time sufficient has been given for the presentation of names.

It is competent for the Assembly after a vote has been taken for an office without result, to reopen nominations, placing additional candidates before the house.

15. Order. A member called to order does not yield his right to the floor, but should take his seat until the question of order is decided, when he can resume the floor.

A second question of order cannot be raised until the first is decided.

16. Personal Interests. Members may not vote on questions affecting their personal interests.

17. Privilege, Questions of. These are questions on subjects which affect the rights of the Assembly or of individual members, and demand immediate attention. They have priority over all questions except those to fix the time for the next sitting and to adjourn. The Chair may decide what questions of this kind to entertain and their priority, subject to appeal.

18. Privileged Motions. In ordinary legislative business the privileged motions are (1) to fix the time for next sitting, (2) to adjourn, (3) questions of privilege, (4) to take up special orders.

19. Recess. At the close of a session, provided another session is to follow on the same day, it is customary to move that a recess be taken.

20. Reports. See Committees.

21. Session. This term is used for a sitting of the Assembly for a portion of a day.

The motion to fix time for the next session is not debatable.

22. Vote. Should be re-taken if there is evident error. Should be re-taken when the tellers disagree.

A member cannot be excused from voting after the negative of a question is put. The proper time to make the request is immediately at the close of debate, or, when the name of a member is called on a yea and nay vote.

See, also, Personal interests.

CHAPTER IX.

Classification of Rules.

The letters "G. R. J." refer to the "General Rules for Judicatories," constituting Chapter VII, of this book; the letters "A. R." refer to "Additional Rules," constituting Chapter VIII, of this book.

I. ADJOURNMENT.

"The business interrupted by adjournment or recess is the first in order after the body reassembles, unless there be a special order on the Docket." (A. R., 1.)

II. AMENDMENTS.

"An amendment, and also an amendment to an amendment, may be moved on any motion; but a motion, to amend an amendment to an amendment, shall not be in order. Action on amendments shall precede action on the original motion. A substitute shall be treated as an amendment." (G. R. J., XX.)

"An amendment may be laid on the table without affecting another amendment or the original motion." (A. R., 2.)

III. BLANKS, FILLING OF.

"When various motions are made with respect to the filling of blanks, with particular numbers or times, the question shall always be first taken on the **highest**

number and the longest time." (G. R. J., XVII.)

IV. COMMITTEE OF THE WHOLE.

See G. R. J., XXXIX, for "Interlocutory Meetings," and A. R., 5, which treats the same subject under the caption of the "Committee of the Whole."

V. COMMITTEES.

"The Moderator shall appoint all committees, except in those cases in which the judicatory shall determine otherwise." (G. R. J., VII.)

1. Chairman.—"The person first named on any committee shall be considered as the chairman thereof." (G. R. J., IX.)

But "in case of his absence or inability to act, the second named member shall take his place and perform his duties." (G. R. J., IX.)

2. Different views.—"When a committee is appointed to deliberate upon a subject, it is the rule to appoint thereon members holding different views." (A. R., 4.)

3. Discharged.—"Committees in legislative bodies are discharged by the reception of their report. In the General Assembly, however, the standing committees are discharged at the final session by vote of the house, and special committees are not regarded as discharged until the close of the Assembly." (A. R., 4.)

4. Excused from service.—"When persons are competent to serve, the appointing body only can excuse from service." (A. R., 4.)

5. Minority reports.—"The minority of

a committee may submit their views in writing, either together, or each member separately, but minority reports can be considered and acted upon, only by moving them as substitutes for the report of the committee." (A. R., 4.)

6. Quorum.—"The quorum of a committee is, in legislative practice, a majority of the members." (A. R., 4.)

7. Reports.—"The report of a committee, when received or accepted by the Assembly, is the property of the Assembly, and should be handed to the Clerk, with all accompanying papers." (A. R., 4.)

"The word **accepted** used for the **reception** of reports does not imply **adoption.**" (A. R., 4.)

8. Special.—"When a special committee is appointed, it is customary to place on it the **mover** and **seconder** of the motion by which it was appointed." (A. R., 4.)

9. Sub-committees.—"Committees may appoint sub-committees." (A. R., 4.)

10. To carry out decision.—"When a committee is appointed to carry out a decision of the house, it is customary to appoint thereon only those who can support the action taken." (A. R., 4.)

11. Vacancies.—"Committees cannot fill vacancies in their membership. Only the Assembly or the Moderator can act." (A. R., 4.)

12. Withdrawal from the body.—"Committees must receive permission from the house to withdraw." (A. R., 4.)

VI. CORRESPONDING MEMBERS.

"The permanent officers of a judicatory

shall have the rights of corresponding members in matters touching their several offices." (G. R. J., XLII.)

1. In the Session.—There are no corresponding members in the Session.—Roberts, p. 115.

2. In the Presbytery.—See this book, Chapter IV, Section VII. F. G., Ch. X, Sec. 12.

3. In the Synod.—See this book, Chapter V, Section VII. F. G., Ch. XI, Sec. 3.

4. In the Assembly.—See this book, Chapter VI, Section VII.

VII. DEBATE.

1. Address the Moderator.—"Every member, when speaking, shall address himself to the Moderator." (G. R. J., XXXI.)

2. Alternately.—"In the discussion of all matters where the sentiment of the house is divided, it is proper that the floor should be occupied alternately by those representing the different sides of the question." (G. R. J., XXIX.)

3. Closing.—"The member presenting a motion or submitting a report has a right to close the debate." (A. R., 6.)

4. Decorum.—"No member, in the course of debate, shall be allowed to indulge in personal reflections." (G. R. J., XXVIII.)

"Every member shall treat his fellow-members, and especially the Moderator, with decorum and respect." (G. R. J., XXXI, XXXIII.)

5. Floor.—"A member who yields the floor for any purpose is entitled thereto upon the resumption of business in connection with which he was speaking." (A. R., 9.)

6. Interruptions.—“No speaker shall be interrupted, unless he be out of order; or for the purpose of correcting mistakes, or misrepresentations.” (G. R. J., XXXII.)

7. Limited.—“If the house shall pass the motion to ‘vote on a given subject at a time named,’ speeches shall thereafter be limited to ten minutes.” (G. R. J., XXVI.)

8. More than three.—“When more than three members of the judicatory shall be standing at the same time, the Moderator shall require all to take their seats, the person only excepted who may be speaking.” (G. R. J., XXX.)

9. Most distant.—“If more than one member rise to speak at the same time, the member who is most distant from the Moderator's chair shall speak first.” (G. R. J., XXIX.)

10. Mover of a motion.—“Is, by courtesy, entitled to the floor, if he so desire, after the Moderator has stated the question.” (A. R., 9.)

11. Not in Order.—“Debate is not in order on debatable motions, after the Moderator has commenced taking the vote.” (A. R., 6.)

“When the Moderator has commenced taking the vote, no further debate or remark shall be admitted, unless there has evidently been a mistake, in which case the mistake shall be rectified, and the Moderator shall recommence taking the vote.” (G. R. J., XXVI.)

VIII. INTERLOCUTORY MEETINGS.

See Section IV, “Committee of the Whole.”

IX. MODERATOR, APPEAL FROM DECISION OF.

1. Aggrieved.—"If any member consider himself aggrieved by a decision of the Moderator, it shall be his privilege to appeal to the judicatory, and the question on the appeal shall be taken without debate." (G. R. J., XXXVI.)

2. How put.—"This appeal is ordinarily put in the following manner, 'Shall the decision of the Chair stand as the decision of the Assembly?'" (A. R., 3.)

3. Questions of order.—The Moderator "shall decide questions of order, subject to an appeal to the judicatory by any two members." (G. R. J., VI.)

4. Tie vote.—"A tie vote sustains the Chair." (A. R., 3.)

X. MODERATOR, DUTIES OF.

1. To preserve order. (G. R. J., IV, XXXV.)

2. To conduct business "to a speedy and proper result." (G. R. J. IV.)

3. To keep notes of business assigned, for particular hours, and call up the items "at the time appointed." (G. R. J., V.)

4. To decide questions of order. (G. R. J., VI.)

5. To appoint all committees, except when "the judicatory shall decide otherwise." (G. R. J., VII.)

6. To vote when a vote is taken by ballot. (G. R. J., VIII.)

But he does not have a **double vote**—one as a member of the judicatory and one as Moderator.—Digest, p. 262.

XI. MODERATOR, PRIVILEGES OF.

1. **May speak to points of order.** (G. R. J., VI.)

2. **May appoint a Vice-Moderator.** (G. R. J., VII.)

3. **May vote in case of a tie,** in other than a vote by ballot. (G. R. J., VIII.)

But he does not have a double vote. See Section X, "Moderator, Duties of," 6.

4. **May require a motion to be reduced to writing.** (G. R. J., XIV.)

XII. MOTIONS NOT DEBATABLE.

1. **To lay on the table.** (G. R. J., XVIII.)

2. **To take up business.** (G. R. J., XVIII.)

3. **To adjourn.** (G. R. J., XVIII.)

4. **To call for "the previous question."** (G. R. J., XVIII.)

5. **To fix a time for voting.** (G. R. J., XXVI.)

6. **To fix a time for the next session.** (A. R., 21.)

NOTE.—"A single session of a judicatory is understood to be a single sitting, or the sitting of a single day when continued, even though interrupted by a recess or recesses."—Digest, p. 971.

"This term is used for a sitting of the Assembly for a portion of a day." (A. R., 21.)

XIII. MOTIONS, ORDER OF PRECEDENCE.

1. **To adjourn:**

(1) Always in order. (G. R. J., XIX.)

NOTE.—The business interrupted by adjournment is the first thing in order after the body reassembles, unless there is a special order on the Docket. (A. R., 1.)

(2) Except when a member has the floor. (A. R., 1.)

2. To lay on the table:

(1) "For the present." Without debate. If carried, places subject on the Docket. (G. R. J., XXI.)

(2) "Unconditionally." Without debate. If carried, cannot be taken up again during the same meeting, without a vote of reconsideration. (G. R. J., XXI.)

NOTE.—"A single session of a judicatory is understood to be a single sitting."—Digest, p. 971. The word "meeting," as used here, includes all the "sessions" that may be held consecutively of a judicatory, when convened for a stated, an adjourned, or a pro re nata meeting. The word "sessions" is used in this sense in G. R. J., XXIII, XXIV and XLIII.

3. To postpone indefinitely. (G. R. J., XIX.)

See Section XX, "Reconsideration," 2.

4. To postpone to a day certain. (G. R. J., XIX.)

5. To commit. (G. R. J., XIX.)

6. To amend. (G. R. J., XIX.)

XIV. PREVIOUS QUESTION.

"The previous question shall be put in this form, namely, **Shall the main question be now put?** It shall only be admitted when demanded by a majority of the members present; and the effect shall be to put an end to all debate and bring the body to a direct vote:

"First, on a motion to commit the subject under consideration (if such motion shall have been made);

"Secondly, if the motion for commitment does not prevail, on pending amendments; and

"Lastly, on the main question." (G. R. J., XXII.)

See Section XX, "Reconsideration," 2.

XV. PRIVILEGED MOTIONS.

NOTE.—"Privileged motions" mean substantially the same as "Privileged Questions" in Major Henry M. Robert's "Rules of Order."

1. **To fix the time for next sitting.** (A. R., 18.)

2. **To adjourn.** (A. R., 18.)

3. **Questions of privilege.** (A. R., 18.)

See Section XVI, "Privilege, Questions of."

4. **To take up special orders.** (A. R., 18.)

XVI. PRIVILEGE, QUESTIONS OF.

"These are questions on subjects which affect the rights of the Assembly or individual member, and **demand immediate attention.** They have priority over all questions except those **to fix the time for the next sitting** and **to adjourn.** The Chair may decide what questions of this kind to entertain and their priority, subject to appeal." (A. R., 17.)

"A personal explanation is not a question of privilege unless it affects the rights of a member." (A. R., 8.)

XVII. PRIVILEGE OF ONE MEMBER.

1. **To call to order members** who "deviate from the subject" under debate. (G. R. J., XXXIV.)

2. **To call to order members** who act "in a disorderly manner." (G. R. J., XXXV.)

3. **To require that a motion be reduced to writing.** (G. R. J., XIV.)

4. **To appeal** from Moderator's decision,

if **“he consider himself aggrieved.”** (G. R. J., XXXVI.)

XVIII. PRIVILEGE OF TWO MEMBERS.

1. To have motion divided, if it “contain several parts.” (G. R. J., XVI.)

2. To appeal from Moderator’s decision on “questions of order.” (G. R. J., VI.)

XIX. RECESS.

1. When taken?—“At the close of a session, provided another session is to follow on the same day, it is customary to move that a recess be taken.” (A. R., 19.)

2. Business after.—“The business interrupted by adjournment or recess is the first in order after the body reassembles, unless there be a special order on the Docket.” (A. R., 1.)

XX. RECONSIDERATION.

1. Of a question decided.—“A question shall not again be called up or reconsidered at the same sessions of the judicatory at which it has been decided, unless by the consent of **two-thirds** of the members who were present at the decision; and unless the motion to reconsider be made and seconded by persons who voted with the majority.” (G. R. J., XXIII.)

2. Of a question indefinitely postponed.—“A subject which has been indefinitely postponed, either by the operation of the previous question, or by a motion for indefinite postponement, shall not be again called up during the same sessions of the judicatory, unless by the consent of **three-fourths** of the members who were present at the decision.” (G. R. J., XXIV.)

See Section XIV, "Previous Question."

See Section XIII, "Motions, Order of Precedence," 3.

XXI. REPORTS.

See Section V, "Committees," 7, 5.

XXII. SPEECHES.

1. No member shall speak more than once:

(1) On questions of order. (G. R. J., XVIII.)

(2) On postponement. (G. R. J., XVIII.)

(3) On commitment. (G. R. J., XVIII.)

2. On other questions, each member may speak twice. (G. R. J., XVIII.)

3. Not more than twice, without express leave of the judicatory. (G. R. J., XVIII.)

4. Limited as to time.—"If the house shall pass the motion to 'vote on a given subject at a time named,' speeches shall thereafter be limited to ten minutes." (G. R. J., XXVI.)

XXIII. VOTING.

1. Adjournment.—"Should the hour for adjournment or recess arrive during the voting, it shall be postponed to finish the vote, unless the majority shall vote to adjourn; in which case the voting shall, on the reassembling of the house, take precedence of all other business till it is finished." (G. R. J., XXVI.)

2. Division.—"If division is called for on any vote, it shall be by a rising vote without a count. If on such a rising vote the Moderator is unable to decide, or a quorum rise to second a call for 'tellers,' then the vote shall be taken by rising, and the count made by tellers, who

shall pass through the aisles and report to the Moderator the number voting on each side." (G. R. J., XXVII.)

3. Excused.—Members may be excused from voting. (G. R. J., XXV.)

But not after the negative of a question has been put. (A. R., 22.)

4. Judicial Committee.—"The members of this committee shall be entitled, notwithstanding their performance of this duty, to sit and vote in the cause." (G. R. J., XLI.)

5. Members should vote.—"Members ought not, without weighty reasons, to decline voting." (G. R. J., XXV.)

6. Members silent.—"Silent members, unless excused from voting, must be considered as acquiescing with the majority." (G. R. J., XXV.)

7. Speeches limited.—"If the house shall pass the motion to 'vote on a given subject at a time named,' speeches shall thereafter be limited to ten minutes." (G. R. J., XXVI.)

7. Taking the vote.—"When the Moderator has commenced taking the vote, no further debate or remark shall be admitted, unless there has evidently been a mistake, in which case the mistake shall be rectified." (G. R. J., XXVI.)

8. Vote, cannot:

(1) Complainant.—"Neither the complainant nor the members of the judicatory complained of shall sit, deliberate, or vote in the case." (B. D., Sec. 90.)

(2) Personal interests.—"Members may not vote on questions affecting their personal interests." (A. R., 16.)

(3) Prosecuting committee.—This com-

mittee cannot vote in the case in which it is interested. (B. D., Secs. 10, 11, 23.)

(4) **Records.**—"Members of a judicatory, the records of which are under review, shall not be allowed to vote thereon." (B. D., Sec. 73.)

(5) **Trial.**—"No member of a judicatory who has not been present during the whole of a trial, shall be allowed to vote on any question arising therein, except by unanimous consent of the judicatory and of the parties." (B. D., Sec. 28.)

(6) **Under charge.**—"If a judicatory so decides, a member shall not be allowed, while charges are pending against him, to deliberate or vote on any question." (B. D., Sec. 39.)

9. Vote retaken:

(1) "If there is evident error." (A. R., 22.)

(2) "When the tellers disagree." (A. R., 22.)

10. Yeas and nays.—"Under this rule the 'yeas' and 'nays' shall not be called except on a final motion **to adopt as a whole.**" (G. R. J., XXVI.)

"The yeas and nays on any question shall not be recorded, unless **required by one-third** of the members present." (G. R. J., XVII.)

XXIV. WITHDRAWAL OF A MOTION.

1. Before debate has begun.—"Any member who shall have made a motion, shall have liberty to withdraw it, with the consent of his second, before any debate has taken place thereon." (G. R. J., XV.)

2. After debate has begun.—"But not afterward, without the leave of the judicatory." (G. R. J., XV.)

ORDER OF BUSINESS.***I. Organization of the Body.**

1. Calling the body to order
2. The constituting prayer.
3. The opening sermon.
4. Making up the roll.
5. Election of Moderator.
6. Appointment of committees.

II. The Order for Each Day.

1. Calling the body to order.
2. The opening prayer, or devotional exercises, which may be substituted for the opening prayer.—Digest, p. 977.
3. Roll call in the morning.
4. Minutes read and approved.
5. Communications read and referred.
6. Reports of Standing Committees.
7. Reports of Special Committees.
8. The Docket.
9. Resolutions.
10. Reading and approving the minutes and roll call at the close of the last session.
11. Prayer and benediction.

*This "Order of Business" is suggested as a guide for the transaction of the business of Presbyteries and Synods.

ORDER OF BUSINESS.

(For a Session Meeting.)

1. Calling the Session to order.
2. The constituting prayer.
3. Calling the roll.
4. Minutes of last meeting read.
5. Communications read, and acted on.
6. Reports of Committees.
7. Unfinished business.
8. New business.
9. Closing prayer, and adjournment.



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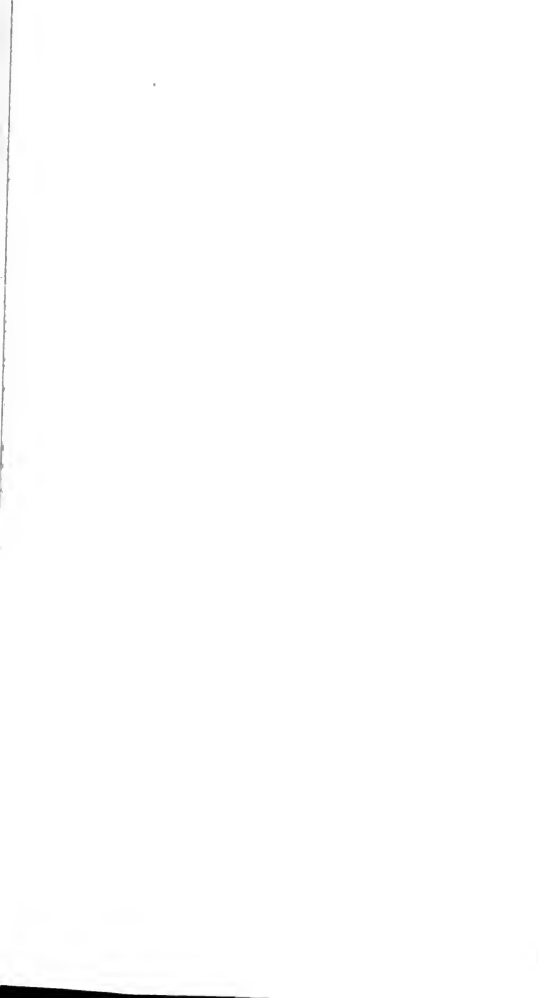
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