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THE
RESULT

OF AN

ECCLESIASTICAL COUNCIL,

CONVENED AT

SALEM, MASSACHUSETTS,

DECEMBER 4, 1849.

SECOND EDITION.

With Strictures upon a "Review by Members of Essex
South Conference."

SALEM:
PUBLISHED BY D. BRAINARD BROOKS,
STREETER & PORTER, PRINTERS, 1 MARKET COURT,

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CHICAGO, ILL., 1926

PROCEEDINGS OF COUNCIL.

AN Ecclesiastical Council was convened at the vestry of Howard Street Church, December 4th, 1849, by letters missive from Ezekiel Goss, stating that he is a member of the Tabernacle Church, in good and regular standing, and has requested a letter of dismissal, and of recommendation to the Howard Street Church, which request has been refused, that he has also requested the Tabernacle Church to unite with him in calling a mutual council, and that this request has likewise been refused; and he now calls this council to examine into the case, so far as to sustain the rights of the churches, and afford him the necessary relief.

The following churches were represented:

1. *Salem Church, Boston.*
Rev. Edward Beecher, D. D., Pastor,
Dr. Ephraim Buck, Delegate.
2. *Randolph.*
Rev. Calvin Hitchcock, D. D., Pastor,
Dr. Ebenezer Alden, Delegate.
3. *Middleboro'.*
Rev. Israel W. Putnam, Pastor,
Bro. Zechariah Eddy, Delegate.
4. *Essex.*
Rev. R. Crowell, Pastor,
Dea. David Choate, Delegate.
5. *South, Ipswich.*
Rev. Daniel Fitz, Pastor,
Bro. Daniel Cogswell, Delegate.
6. *Hopkinton,*
Rev. J. C. Webster, Pastor,
Bro. J. A. Fitch, Delegate.
7. *Third, Abington.*
Rev. H. D. Walker, Pastor.

8 Park Street, Boston.

Rev. A. L. Stone, Pastor.

Rev. Louis Dwight, Delegate.

Rev. Mr. Putnam was chosen Moderator, and, in his absence, Dr. Ephraim Buck was chosen Moderator, *pro tempore*; Rev. A. L. Stone was chosen Scribe. Prayer was offered by Rev. Dr. Hitchcock.

Rev. Mr. Putnam coming in, declined acting as Moderator, and Rev. Mr. Crowell was chosen Moderator.

Voted that the Council is now ready to proceed to the consideration of the case presented in the letter missive.

Voted to adjourn to 2 o'clock in the afternoon. Council met agreeably to adjournment at 2 o'clock.

Documents were then submitted showing that Mr. Goss had requested the Tabernacle Church to unite with him in calling a mutual council upon his case, and that this request had been refused.

Documents were also read, showing that Mr. Goss had repeatedly asked a letter of dismissal from the Tabernacle Church, and of recommendation to the Howard Street Church, and that these requests had been refused.

On Motion, Voted, that Council adjourn at half-past 5, to meet at half-past 6 o'clock.

Voted, That the council hold an adjourned meeting in the vestry of Howard Street Church, on the 18th of Dec. inst., at half-past 10 o'clock, A.M.

Voted to appoint a committee to wait upon the Pastor of the Tabernacle Church, and notify him of the organization of the council, and of the case under consideration, that he may attend on behalf of the church.

Rev. Dr. Beecher and Dr. Alden were appointed said committee. The hour of adjournment having arrived, the council adjourned, to meet at half-past 6 o'clock.

Evening.—Council met pursuant to adjournment. The committee appointed to communicate with the Tabernacle Church reported that they had had an interview with the Pastor of that Church, and that he was understood to decline appearing before the council, on the ground that no action of council was called for in the premises.

On motion, Voted, to advise Mr. Goss to enlarge the council, by inviting other churches at his discretion. Voted to adjourn.

Attest,

A. L. STONE, *Scribe*.

SALEM, December 4th, 1849.

TUESDAY, December 18.

The council met pursuant to adjournment, in the vestry of the Howard Street Church—Rev. Mr. Crowell in the chair. The following churches were represented:

1. *Essex*.—Rev. R. Crowell, Pastor; Dea. David Choate, Delegate.
2. *West Meadway*.—Rev. Jacob Ide, D.D., Pastor; Dea. Daniel Nurse, Delegate.
3. *Mount Vernon, Boston*.—Rev. Edward N. Kirk, Pastor; Dea. Daniel Safford, Delegate.
4. *Randolph*.—Rev. Calvin Hitchcock, D.D., Pastor.
5. *South, Ipswich*.—Rev. Daniel Fitz, Pastor; Bro. Daniel Cogswell, Delegate.
6. *First, Cambridge*.—Rev. John A. Albro, Pastor; Dea. Charles W. Homer, Delegate.
7. *Second Ev., Cambridgeport*.—Rev. J. C. Lovejoy, Pastor; Bro. Francis Hunt, Delegate.
8. *East Abington*.—Rev. H. D. Walker, Pastor; Dea. Elijah Shaw, Delegate.
9. *Salem Church, Boston*.—Rev. Edward Beecher, D.D., Pastor; Dr. Ephraim Buck, Delegate.
10. *First, Ipswich*.—Rev. David T. Kimball, Pastor; Bro. George W. Heard, Delegate.
11. *Braintree*.—Rev. R. S. Storrs, D.D., Pastor; Dea. David Hollis, Delegate.
12. *Rockport*.—Rev. W. Gale, Pastor; Dea. Thomas Giles, Delegate.
13. *South Reading*.—Rev. R. Emerson, Pastor; Dr. Poland, Delegate.
- 14.—*Park Street, Boston*.—Rev. A. L. Stone, Pastor; Rev. Louis Dwight, Delegate.
15. *Hopkinton*.—Rev. J. C. Webster, Pastor; Bro. J. A. Fitch, Delegate.
- 16.—*Middleboro?*.—Rev. Israel W. Putnam, Pastor; Bro. Zechariah Eddy, Delegate.

Rev. Mr. Crowell resigned his seat as Moderator of the Council.

On motion, the resignation was accepted, and Rev. Reuben

Emerson was chosen Moderator. Prayer was offered by Rev. Mr. Putnam. The Minutes of the last session of the Council were read by the Scribe. On motion, Voted, That a committee be appointed to wait upon the Pastor of the Tabernacle Church, and inform him that the Council were ready to hear any communication from him in reference to the case under consideration.

Rev. Mr. Putnam and Rev. E. N. Kirk were appointed such committee.

Voted, That Rev. Mr. Wilder have leave to appear before the Council, and present the case of Mr. Goss.

Documents were read, presenting to the Council the matters submitted to the Council at its last session. Voted to adjourn to 2 o'clock this afternoon. Adjourned accordingly.

Council met at 2 o'clock. Rev. Dr. Ide offered prayer. The Committee appointed to wait upon the Pastor of the Tabernacle Church reported, that they had had an interview with Rev. Dr. Worcester, and that he was ready to converse with them; that he declined appearing before the Council or taking further action in the case at the present time; that he urged, as reasons for the refusal of Mr. Goss's request of a letter, the considerations—1. That Mr. Goss was not in good standing; 2. That the Howard Street Church was not in good standing.

Voted, That we hear the doings of the council that advised to the dissolution of the Howard Street Church. Testimony was also called for in regard to the action of the church upon this advice; also the doings of a council called to consider the action of the church in voting to dissolve; also the action of the minority subsequent to the vote to dissolve.

Voted, That the Council be by themselves.

The following resolution was moved:

Resolved, That, so far as this Council is advised on the subject, Mr. Goss has done nothing to forfeit his standing in his own church.

The Resolution was adopted.

Moved, That it is the opinion of this Council that the vote of a majority cannot dissolve a church against the consent of a minority, and it appearing that the Howard Street Church has not been otherwise dissolved, and that the minority claim membership therein, and have acted, and still act, as that Church, and sustain its meetings, the ordinances and ministry, this council advise that that church has not been dissolved, but still exists on its original foundation.

The question was taken by ayes and noes; when it appeared that there were 24 ayes and 2 noes, and the Resolution was adopted.

Voted, That Mr. Goss be advised to renew his application to the Tabernacle Church, for a letter of dismissal, and of recom-

mentation to the Howard Street Church; and if his request be refused, that he be advised to offer himself for membership to the Howard Street Church, and that the Howard Street Church be advised to receive him.

Voted, That a committee be chosen to prepare a Result of Council. Rev. Dr. Beecher, Bro. Z. Eddy, Rev. R. Crowell, Rev. Dr. Storrs, and Rev. A. L. Stone, were appointed this Committee.

Voted, That we adjourn, to meet at 7 o'clock this evening.

Council met pursuant to adjournment. The committee chosen to prepare a Result of Council reported progress; whereupon it was voted, That when the Council adjourn, it adjourn to meet on Wednesday, January 16th, at 10 o'clock, A.M., at the vestry of Park Street Church, Boston to hear the report of the committee, appointed to prepare a Result of Council. Voted to adjourn.

Attest, A. L. STONE, *Scribe*.

The council met by adjournment, January 16, at 10 o'clock, in the vestry of Park Street Church, to hear the report of the committee appointed to frame a Result.

There were present the following churches by their Pastors and delegates:

1. *South Reading*.—Rev. R. Emerson, Pastor.
2. *West Medway*.—Rev. Jacob Ide, D.D., Pastor.
3. *Braintree*.—Rev. R. S. Storrs, D.D., Pastor.
4. *Randolph*.—Rev. Calvin Hitchcock, D.D., Pastor; Dr. Ebenezer Alden, Delegate.
5. *South, Ipswich*.—Rev. Daniel Fitz, Pastor; Bro. Daniel Cogswell, Delegate.
6. *Rockport*.—Rev. W. Gale, Pastor; Dea. Thos. Giles, Delegate.
7. *Mt. Vernon, Boston*.—Rev. Edward N. Kirk, Pastor; Dea. Daniel Safford, Delegate.
8. *Salem, Boston*.—Rev. Edward Beecher, D.D., Pastor; Dr. Ephraim Buck, Delegate.
9. *Park Street, Boston*.—Rev. A. L. Stone, Pastor; Rev. Louis Dwight, Delegate.
10. *Middleboro'*.—Rev. Israel W. Putnam, Pastor; Bro. Zechariah Eddy, Delegate.
11. *Hopkinton*. Rev. J. C. Webster, Pastor; Bro. J. A. Fitch, Delegate.
12. *Cambridgeport*.—Rev. J. C. Lovejoy, Pastor.

Rev. Mr. Emerson in the chair. Prayer was offered by Rev. Mr. Putnam. The minutes of the last meeting of the council were read by the Scribe and approved.

Voted, That the Council be by themselves.

● Rev. Dr. Beecher, chairman of the committee to prepare a Result, presented the report of the committee.

Voted, That the report of the committee be accepted.

Moved, That the report be adopted as the Result of the Council. Carried with two dissenting votes.*

Rev. Dr. Hitchcock presented and read a remonstrance against the action of the Council.

Minutes approved. Voted to dissolve.

Attest, A. L. STONE, *Scribe*

* One of these dissentients expressed his conviction that the Howard Street Church was not dissolved in fact, and his accordance with the main principles of the report, but for particular reasons he declined voting for the result as a whole.

R E S U L T .

The questions of principle concerning which this council is called to advise, grow out of the refusal of the Tabernacle Church in Salem to grant a letter of dismissal and recommendation to one of their members, Mr. Ezekiel Goss, to the Howard Street Church* on the following alleged grounds:

1. That that church was dissolved by a vote of a majority of the Church in accordance with the advice of a mutual council.

2. That the Essex South Conference had sustained the validity of the action of the aforesaid majority.

3. That it is not consistent with the principles of order and fellowship in our Congregational churches, nor promotive of the best interests of the community, to recognize the claims of those who now assume to be the original Howard Street Church, as valid. †

It was also made manifest to the council, that these were the only grounds on which the letter was refused, no other cause being assigned in the documents of the church.

It was indeed reported by the committee of the church, that they had intimated to him that his absence from church meetings, public worship and the sacramental seasons of the church, was irregular and contrary to his covenant, and seemed to proceed from alienation of feeling, and that on this ground it was improper to grant his request. ‡ But he was expressly told by the pastor that the church did not adopt or sanction this report. § Mr. Goss stated in a letter to the church, Sept. 14, 1849, "I know of no unkind feeling to any member on my part; if there is or has been, I wish their forgiveness, as they would be forgiven." || In Oct. 12, 1849, he said concerning his absence, in another communication addressed to the church, "I acted in good faith, supposing that I was in order. I was doing as others had done without reproach. The pastor knew of my course and my feeling." He then states that if the pastor and others thought that he was doing wrong, they ought in covenant fidelity to have admonished him, "but as it is, I did not know that I was guilty until I asked to be dismissed, and now I cannot see it. I repeat that if any have been grieved with any of my wrong doing, I humbly ask them to forgive, and when I am sensible what the wrong is, I will endeavor to make all suitable reparations."

This communication however the pastor and church refused to allow him to read—and when he desired to speak on what the committee had said to him, they refused to hear him. The reason assigned for this was: the church had not adopted and thus endorsed the statements of the committee, and that the church had neither

‡ No. 3. * Appendix No. 1.

§ No. 4.

† No. 2.

|| No. 5.

charges nor charge against him. It was repeatedly said to him, "we have nothing against you,"* and therefore he was not allowed to speak. Here then a brother had come before the church desirous to see his offence, if any there were, desirous to confess and make reparation when convinced, desirous so to explain his conduct as to give satisfaction, and yet was not allowed to speak, on the ground that they had nothing against him. Is it right now in such a case to hold back grounds of grievance, if any there are, and to refuse to hear any explanations or receive any confessions or satisfaction that might have been made, on the oft repeated ground that they had nothing against him; and yet to refuse him a letter, and then when he asks relief of an ecclesiastical council, to throw in an intimation that he was under an unfinished course of discipline? Or even to intimate that they were about to commence a course? But even this last intimation was rebutted by direct testimony. For when it was suggested to the church to begin to deal with him, the pastor objected and they refused so to do.†

We therefore are satisfied that the brother was not under a process of discipline, but is in good and regular standing. Moreover, as he expressed sorrow and asked forgiveness if he had grieved his brethren, disclaimed all intention or consciousness of doing wrong, and offered to do all in his power to make reparation when convinced of wrong, he did all that he could, and of course all that any one could reasonably demand to give satisfaction to his brethren. If then the pastor and church refused to receive satisfaction when he desired to give it, it is no part or province of Christian discipline to reserve offences for future consideration, and to intimate to him or to the council, that perhaps, hereafter, they may call him to account. To do this is rather to abuse discipline as a means of impeding him in securing his rights, than to follow the law of Christ, if thy brother say unto thee I repent, thou shalt forgive him.

The council is of opinion that when a member applies for letters of testimonial and of dismissal and no process of discipline is pending against him, he is entitled to receive them unless some brother declares that he is offended, and will take immediate steps of gospel discipline in respect to it. Otherwise a member could never secure his rights so long as either the pastor or any other brother saw fit to say that perhaps hereafter he should commence discipline.

As a council, therefore, we are not called on to interfere with an unfinished case of discipline. No process of discipline had been commenced. On the other hand, the brother is in good and regular standing in his church.

We are therefore called to consider simply the alleged dissolu-

* No. 6.

† No. 4.

tion of the Howard Street Church, and the action of the Essex South Conference with respect to it, as the reasons for denying to Mr. Goss a letter to the Howard Street Church.

It was also made clear to the council that Mr. Goss had proposed to the Tabernacle Church to call a mutual council to advise with reference to the validity of these reasons,* and that they had refused to accept his proposal.† The reasons assigned by the church for refusing to unite, in calling a mutual council are in substance, that their own action with reference to Howard Street Church, was taken with much carefulness, and under a constraining sense of duty to vindicate and support the fundamental principles and accredited usages of our Congregational order, as affecting the independence of each church respectively, and the inalienable rights of majorities in each church, and that there is no existing occasion to submit its doings to the revision of a council, neither is there any such occasion apprehended in the changes of the future.

We suppose that whenever an individual feels his rights invaded by the action of a church, similar reasons might be assigned by the church for refusing to unite in a mutual council. A church will of course be satisfied that they have acted carefully, and under a sense of duty, and it is natural to feel that no advice is needed or is likely to be. But suppose that the individual differs from the church as to what are the fundamental principles and accredited usages of Congregationalism, and believes them to be violated, and not defended by the church? Has he no remedy?

If such reasons for refusing a mutual council are valid, then individuals have no possible mode left of vindicating their rights, and nothing remains but universal and unconditional submission to whatever the church shall see fit to do. But it was the express design of our ancestors in establishing ex parte councils, to avert such a result, and thereby prevent our churches from becoming irremediable despotisms. It is therefore plain to the council that a sufficient ground for convening us has been made out, and that duty calls on us to consider the questions at issue, and to give such advice as has been requested.

In entering upon the discharge of this duty, we cannot but be deeply affected with the importance of the principles involved. We are well assured that a case similar to the one in question has rarely, if ever, occurred in the history of our churches. The principles on which it was attempted to dissolve the Howard Street Church, and by which that act is defended, are not only novel, but in our judgement would, if carried out, effect an entire revolution in our churches as it regards the import and sacredness

* No. 7.

† No. 8.

of the covenants by which they are bound together; and furnish a new instrument of destruction, to be used in every case of difficulty and division in a church. Great, therefore, as is the respect and affection with which we regard the brethren who have introduced and are attempting to defend these new doctrines in our churches, we feel constrained to do all in our power to subject them to a thorough scrutiny, and to call on our churches decidedly to reject them, as at war with the fundamental principles of our system, and the obvious dictates of truth and righteousness.

And inasmuch as the Tabernacle Church has seen fit to appeal to "the fundamental principles, and accredited usages," of our churches, and the Essex South Conference has intimated that "precedents" sustain their decision,* we shall commence our investigations by the inquiry, what these "fundamental principles and accredited usages," and "precedents" are, in the present case?

It will, therefore, be seen at once, that the present enquiry is not, Are our Congregational principles and usages right, and can they be defended by an appeal to the bible? but, What are they in fact? If our brethren shall ever see fit, professedly, to repudiate them, then it will be time to defend them. But, so long as they appeal to them for support, it is only necessary to inquire what they are.

It is obvious, also that the principles, usages and precedents, which we are called on especially to consider, are those which relate to the covenant, by which believers in our churches are bound to God, and to each other.

We proceed with the more pleasure to consider our fathers' views of the church covenant, because it is a point on which the founders of our system were perfectly agreed, and to which they attached the highest importance. With them the covenant was not only a fundamental principle of the system, but, *as they held it*, it was the fundamental principle of the whole Congregational fabric. Davenport, in his defence of Congregationalism against Paget, speaking of the "formal cause" that is, the organizing principle of the church, says, "this holy society, the Church of Christ, arises from the coadunition or knitting together of many saints, into one (body), *by a holy covenant*, whereby they, as lively stones, are built up a spiritual house. 1 Pet. 2: 4, 5. Though a church covenant be common to all churches, in its general nature, yet there is *a special combination*, which gives a *peculiar being* to one Congregational church and its members, distinct from all others; else how could one church have that power over its own members, which another hath not?

* No. 9.

In Hooker's Survey, Pt. 1., chap. iv., the inquiry is raised, What is that which makes the church to be that which it is? The reply is, not invisible union and communion with Christ, but "mutual covenanting and confederating of the saints in the fellowship of the faith, according to the order of the gospel, is that which gives constitution and being to a visible church." Of this their antagonists were fully aware.

Rathband charged on the Congregationalists, as an error, that they made "what they call the Church Covenant, whereby all the members of the Society (Church) are united to Christ, and to one another," "absolutely necessary, essential, and constitutional to and of the true Church." Welde admits that this is their view of "a pure Congregational Church, as it is refined according to the platform of the Gospel."

For this principle, as held and applied by them, they were attacked both in England and elsewhere, by the opponents of Congregationalism. In 1637, certain ministers in England undertook to call the New England brethren to account, for opinions and practices deemed by them "groundless and unwarrantable," and forwarded nine positions of this sort to them, on which they demanded their judgement. Of these, the sixth stated what they deemed the unwarrantable claim that no church member could withdraw from a church, without leave first obtained from the church. The New England ministers admitted the principle, and defended it, on the ground that the church covenant, of necessity, implied it. This called out a full statement of their views of the covenant.* This, according to them, consists in four particulars.

1. "Every member, at his admission, doth openly profess, and solemnly promise, that, by Christ's help assisting, he will not only, in general, give up himself,—as to the Lord, to be guided by him, so to the church according to God, to be directed by it;" but also, in particular, that he will perform all duties of brotherly love and faithfulness to the body; as of dilligent watchfulness over all his brethren, thereby to prevent sin; so of faithful admonition, after their falls, to regain them to the Lord from their sin."

2. "The engagements are not made only by the members admitted into the church, but by the church back again to the members. So that, thereby, the whole church in general, and every member in particular, stand as well in conscience bound, to perform all duties of love and watchfulness to him, as he doth to them."

3. "These promises, thus lawfully and mutually made, that

* Written, in all probability, by the celebrated John Cotton.

members, as also the whole church, are bound, not only every one for himself actively to perform them, but passively also, to suffer his brethren to do these offices upon and towards himself. If he neglect the former, he shall falsify his covenant, so solemnly, before God, angels and men, made; and so not only break his promise to his brethren, contrary to Ps. 15: 4, but also, in some sort, commit the sin of Ananias and Sapphira, in lying against the Holy Ghost, condemned and severely punished by God's own hand. If he fail in the latter, he shall not only be guilty of the same sin of breach of covenant with God and man, as in the former, but shall also be guilty of this folly of despising council, so much condemned, and shall also proclaim this his folly and pride, by showing to all the church that he is wise in his own eyes, and leans to his own wisdom, both reprov'd in Prov. 3: 7, and 23: 4."

4. From all these things premised, it appears that we can do no less—and yet we do no more than, first, require a member, before he depart, according to our covenant, thus lawfully, deliberately, and mutually made, to express to his brethren his desire of departing, and the place and society to which he tends—whether to a godly church, where he may be edified, or to some corrupt assembly where he may be destroyed! and, secondly, require his grounds and reasons which moved him so to do." All of these particulars are sustained by an appeal to the word of God. Thus did New England, in a clear and eloquent testimony, utter to Old England her deepest and most settled convictions as to the nature and effects of a church covenant. And it here deserves especial notice how clearly they enforce the truth, *the mutual covenant between member and member, is not separable from the covenant with God, but is a part of it*; so that, to violate it, is to lie to the Holy Ghost, as did Ananias and Sapphira. In short they covenant with God, not only to serve him, but also to enter into a church state with each other, and to fulfil the vows made to each other, in coming into that relation, so that the covenant with man cannot be broken without breaking the covenant with God.

It was charged upon our fathers as an offence, that they held such views of the covenant. In 1644, Rathband endeavored to set forth in an odious light, the principles of our New England fathers—to whom Welde, of Roxbury, replied. And it is very striking, that, among other things, Rathband quotes, for this purpose, the covenant of the Church in Salem, as follows: "We whose names are hereunder written, members of the present Church of Christ, at Salem, &c., solemnly, in the presence of God, &c., renew this church covenant, which we find this church bound unto at their first beginning, viz., we covenant with the Lord, and one another,

and do bind ourselves in the presence of God, to walk together in all the ways of God, according as he is pleased to reveal himself unto us in his word; and after many specifications, 'we promise to walk with our brethren and sisters in this congregation (church), with all watchfulness and tenderness.'" Here the covenant with man is included in the covenant with God,—“We covenant with God, and with one another, to walk together in a church state,” is its import. This same view, as will appear elsewhere, is found in Cotton Mather's Ratio, in 1776, and was then the common form of the churches. We shall also show in another place that it is incorporated at this very day in the covenant of the Tabernacle Church in Salem. Moreover, this view of their assailants charged on them as an error. Rathband says, that in their definition of a covenant, it is included, “that they bind themselves to the Lord, to walk in all such ways of holy worship to him, and of edification, one towards another, as God himself hath required of every church, and the members thereof.”—Apol. p. 5; Discov. of Cov. p. 3. This Welde concedes.

Such were the views of our fathers on this most momentous theme. Nor were they heedlessly formed; for holding them they were subjected to severe and long continued attacks, and deep study and earnest prayer was needed to sustain and vindicate their truth. Burton in his defence of Congregationalism, against Bastwick, 1645, says: “Now the very name of covenant is become a bugbear to many,” and again, “you tell us that our gathering of churches hath no example in Scripture.” Rathband says, that “the Apostles went a shorter way to work—because the Holy Ghost had given them no such direction, nor was this matter of a church constitution (by a covenant) then hatcht.”

In Hooker's Survey, the whole of the 7th chapter of Part I. is devoted to answering the arguments against their views of the church covenant alleged by Rutherford and various others.

Finally, the same doctrine is embodied in the Cambridge Platform, ch. 4: sec. 1, 2, 3, where the following words are worthy of particular notice. After stating that particular churches can be known only by their forms, they say, “This form is the visible covenant, agreement, or consent, whereby they give up themselves unto the Lord, to the observing of the ordinances of Christ, together in THE SAME SOCIETY, which is usually called THE CHURCH COVENANT. For we see not otherwise how members can have church power over one another mutually.” Here we see that coming into a church state is an essential part of the obligation assumed in giving themselves up to God, so that the covenant with him is a covenant to enter into, and to remain in, a visible particular church, by a covenant with them.

Such, then, were the views of the fathers of our system, who bore the burden and heat of the day in laying those deep foundations on which our churches have for centuries reposed. Churches were with them no mere voluntary associations for mutual religious improvement, which those who formed might dissolve at pleasure, and replace by what they deemed better or none at all, as they saw fit. Though no man could enter the church except by his own free will, yet the church itself was an ordinance of God, and it was his revealed will that every man who had repented and believed in Christ, (and it was every man's duty to do this) should enter by mutual covenant with some particular church into church estate. Of course when they covenanted with God to do all His known will, whether it was expressly stated or not, they covenanted to come into church estate with their brethren, and to remain in it. But that so important a duty might not be left to mere inference, they incorporated it into their covenants with God.

Moreover they held definitely and decidedly that if not in covenant with some particular local church, no one had a right to claim any interest, or to challenge any privilege in any other local church. Hence Hooker, in his Survey, expressly says, "In the house of God we must become covenanting servants if we have any interest there, or think to challenge any privilege there." In other places, he and others defend this principle at great length, as will hereafter appear.

We are thus full in this investigation because of the confident appeal of our brethren of the Tabernacle Church to "the fundamental principles and accredited usages of our churches." We now see clearly what they are.

We moreover give prominence to this part of the subject, because those who defend the power of a majority to dissolve the Howard Street Church, have found it necessary explicitly to deny, and argue against these very foundation principles of the Congregational system—so that a more fundamental issue cannot be raised. If they are right, all of our fathers were wrong—Mather, and Cotton, and Hooker, and Davenport, and Welde, and the framers of the Cambridge Platform, and the New England ministers who defended our polity against assailants in old England, and the ancient church of Salem, and all our ancient churches, and even the fathers of the Tabernacle Church in Salem,—these are all of them wrong, and the antagonists of Congregationalism are right. All this may be, and if it is so, then let our foundation principles be overthrown, and a new system be built upon better. But let not such a work be called a defence of our "fundamental principles and accredited usages," but a work of radical reform, and its authors radical reformers.

Again, we give prominence to these principles because the whole issue depends on them. Here is the great hinge on which the whole discussion turns, and we cannot place it in a light too clear and vivid.

And now we remark that of this kind was the covenant of the Howard Street Church, only as it might seem with a providential foresight of such a crisis as the present, they were guided to insert stipulations rising in intensity above all that is found elsewhere.—After the usual covenant with God and the church they bind the vows already assumed by assenting to the following affecting pledge.

“In reliance on that grace which is able to keep you from falling, you receive the covenant promises, and a covenant God as yours forever, and set your seal to a full determination that in life and in death you will be faithful to this covenant. This people is your people, and this God is your God. Thus you promise and declare.” Then the reciprocal vows of the church are assumed, and a **TITLE** to all the privileges of the church estate is solemnly given, before God, angels and men. As to the nature and import of the covenant of the Howard Street Church, there can, then, be no shadow of a doubt.

We next proceed to consider the principles and usages of our system, as to a transfer of covenant relations from one particular church to another. And here the case is no less clear. It of necessity flows from the preceding views of the covenant, and is in universal accordance with the fundamental principles and accredited usages of our system, that the only ways to cease to be a member of any particular church are these:

1. By a letter of dismission and recommendation to another church, given on this condition,—that not until the person recommended is received by such church shall his existing membership cease.

2. By the act of God, calling the person home by death.

3. By excommunication, for offences, properly charged and proved.

The Cambridge Platform is full and decided to this effect.

“Order requires that a member removing have letters testimonial and of dismission from the church whereof he yet is, unto the church whereunto he desireth to be joined. Until the person dismissed be received into another church, he ceaseth not, by his letters of dismission, to be a member of the church whereof he was.

THE CHURCH CANNOT MAKE A MEMBER NO MEMBER, BUT BY EXCOMMUNICATION.”

These then are the only modes of leaving the church; and till it is thus left, all who are in it are bound not only to God to remain in covenant with each other, but also to each other, by the

mutual vows which they have assumed. Each individual has covenanted with God, and with each in the church, to watch over them and seek their good according to his ability. Out of this covenant grows the right and duty of mutual exhortation, and, if need be, of reproof and discipline. To be in such covenant our fathers justly regarded as one of the highest privileges that can be enjoyed on earth; to be the subject of such watchful care, is one of the highest necessities of a Christian in this world of trial and temptation.

What, then, are we to understand by the alleged dissolution of the Howard Street Church? Is it that all of the members, by advice of council sought and received letters to other churches, and were by them received, and thus the Howard Street Church ceased to exist? Had this been done, no covenant obligations had been violated, no principles of Congregationalism had been contravened. But this is not what the council recommended. This is not what the church did. The reason is plain. All of the members did not desire to do it. The Howard Street Church were not so reduced in numbers and resources, nor were they so deficient in piety, that they could not sustain the preaching of the gospel, and the ordinances of the church. Nor was it true that the public good did not require a church where the Howard Street Church stood. All this the council which advised the dissolution expressly state. The thing which the council deemed expedient, was in some way to get rid of this church, as it was then organized, in order that a new one might be organized in its place, in which a portion of the materials should be better, and the whole church be better put together. This the council expressly avow.* They tell us in the first place, "It appears that the pastor's request for a dismissal arises from embarrassments which have rendered, in a great degree, abortive his earnest and self-denying efforts for a course of years, and which embarrassments have now come to a crisis, so that we can do no less than accede to his request, and we hereby *declare his pastoral relation dissolved.*"

What they meant by the embarrassments here spoken of will appear from the following paragraph in their Result.

"We deem it to be our duty in concluding this Result, to call upon some of the individuals of the church to reconsider the manner in which they have treated their pastor, during the existence of the difficulties which have given occasion to the calling of this council. Saying nothing of those who have been in fault in other matters, there has been a disposition on the part of these, to push some favorite points to extremes;—a want of charitable construction of the pastor's motives and conduct in relation to points on which there existed a difference of opinion between him and them; and a de-

* No. 10.

iciency of that kindness and courtesy which he had a right to claim as a Christian minister, and particularly as their pastor.”

That they contemplated the removal of these individuals in some way into some other organization, is obvious from the closing advice of the Result.

“The council hope that they will see their error, and that in whatever future ecclesiastical connection they may be placed, they will seek to be possessed of a spirit of wisdom, and of a sound mind, and will remember, that *charity, kindness* and *forbearance* are as important parts of Christian character, as zeal in suppressing the errors and vices of society “PARSONS COOKE, *Moderator*.

“E. A. LAWRENCE, *Scribe*.”

We are now prepared fully to understand the advice given by the Council to the church.

“And since the embarrassments which have so far frustrated his ministry still exist, without prospect of change, while the church retains its present organization, we would suggest the inquiry whether the best good of all concerned would not be consulted by a dissolution of that organization, and the members connect themselves with other churches in the city. A step so uncommon, we think, is made expedient by reasons as peculiar. It is not that we think that there is not ability and piety enough to sustain the enterprise in favoring circumstances. There are materials of great value in this church, but they stand in such relations as to hinder their efforts for good. Nor is it true that our denomination in this city have churches enough without this. The prospect rather appears to be, if this is dissolved, a new one will soon take its place. We would, therefore, advise that the present *organization*, if it sees fit, vote a *dissolution*, and if the proprietors of the meeting-house see fit to close it awhile and wait for the movements of Providence, we feel persuaded that the time will soon come when the way will be made to open it under better auspices. A new organization formed for the purpose, would of course stand clear of most of the embarrassments of the present.”

If all of the members of the church had been willing to ask for letters of dismission to other churches, there would have been no need of voting a dissolution of its present organization. It would not have been dissolved. It would simply have ceased to exist in a mode authorized by our system, and perfectly consistent with the vows of the covenant, and then, if it had been deemed expedient, a new church could have been formed. But it was perfectly well known that there was a large portion of the church who had no desire to be dismissed to other churches, and who would not ask for letters. Moreover those individuals who were deemed an embarrassment, we may well suppose, were the ones least likely of all

to ask for letters. The desired new organization then could not be formed in accordance with the usual and well-known principles of our ecclesiastical platform. It became necessary therefore to devise for the occasion a novel and extraordinary mode.

The step, the council admit, was very uncommon. "A step so uncommon is, we think, made **EXPEDIENT** by reasons as peculiar." The peculiarity of this extraordinary mode was, that by it the organization could be dissolved against the will of such as would not ask for, or take, such letters to other churches. Hence proceeded the theory of the power of a mere majority, by a single vote, at once and utterly to dissolve the existing organization. Notice now the consequences that it draws after itself. To make this plan effectual, it is indispensably necessary to insist that the dissolution of the Church shall not be conditioned upon the previous reception of its members into other churches; for then, as before, the unwilling ones would prevent the dissolution, for they would neither take letters to other churches, nor ask to be received. The dissolution of the Church, therefore, must be absolute and unconditional, or the plan will not gain its end. In no other way can the old organization be dissolved, and a new organization, *formed for the purpose* and clear of the existing *embarrassments*, take its place. This new theory, it must be confessed, was skillfully framed for the occasion, and exactly adapted to gain the end in view; and its advocates avow their principles, and take their consequences, with unflinching and commendable consistency. Let us look at its application. We have considered the covenant by which the members of the Howard Street Church were solemnly bound to God, and through God to each other, and the reciprocal rights and duties growing out of that covenant.

And now the new doctrine, concerning which our advice is asked, is this, that a simple majority of so many of the brethren of the church as happened to be present at any legal meeting of the church, had the power totally to dissolve and abrogate this covenant, so that all the members of the church, brethren or sisters, present or absent, willing or unwilling, and by whatever ties of affection united, or however strong their desire to walk together, as a church, in the ordinances of the gospel, though but a moment before in covenant, and members of the same church, are, after the vote, no longer in covenant, and are members of no local church, and of course are under the covenanted Christian watch and care of no human being on earth.

No sooner have seventeen men adopted this simple sentence, "Voted that this organization is hereby dissolved," than the work is done. The church is dead. Its bonds are dissolved, and its

members scattered. A new organization may indeed, be formed in its place, but no human power can restore life to the dead. Our fathers expressed the full conviction of all our churches, when they said, in the Cambridge Platform, that the whole church cannot make even one member no member, except by excommunication, and excommunication cannot be inflicted except for crime, and after a fair trial.

But this new doctrine teaches us that a mere majority of the brethren, at a given meeting of the church, although a minority of all the brethren of the church, and a very small minority of all the members, can, by a single vote, make every member no member of that or any other church.

We do not doubt that those who are ignorant of the facts of this case, will read this statement with inexpressible surprise, and perhaps, with no small degree of incredulity. It will seem to them impossible that intelligent Christian men, much more, leading and influential ministers in our churches, could, by any course of influences, be led to assume such a position. Yet we have simply stated what an accidental majority of the Howard Street Church profess to have done, what leading ministers claim they had a right to do; and still more wonderful, the right to do which they still contend for, as essential to the independence and inalienable rights of our churches! The simple and undeniable facts of the case are these. The Howard Street Church, at the time when the council advised their dissolution, consisted of 170 members, 50 of whom were males. At the time of the disbanding vote, most, if not all of these were still members of the church, for although some had taken letters to other churches, they had not been received. This church, on the evening of May 4, 1847, by a vote of 17 males, was declared to be dissolved, in accordance with a mutual council.*

The form of the vote was this: "Voted, to adopt the remainder of the Result of Council, and by and with their advice, this organization is hereby dissolved, and that Deacons Smith, Foster, and Driver, be a committee to grant letters of dismissions and recommendations, under date of May 4, '47, to all the remaining members of the Church, to any Orthodox Congregational Church they may direct." Yeas 17, nays 10.

From and after this vote, it is insisted that Howard Street Church ceased to exist, and that those once members of it, ceased at that moment to be members of any local church whatever. It follows, of course, that nobody had the right, by covenant vows, to watch over any one; and as for admonition, exhortation, and discipline, the entire ground on which the right and duty of exer-

cising them once rested, had fallen away. True, indeed, a committee was appointed in the vote to give letters of dismissal and recommendation, to other churches, to all who should ask for them, to be dated on the night of the alleged dissolution of the Church. But, according to the new theory, they ceased to be members of the Howard Street Church, even before they had asked, or could ask, for a dismissal from it: for, before the committee could meet, the Church itself had ceased to exist. The very vote by which they were appointed dissolved the church. Much more had they ceased to be members of the Howard Street Church, according to this new doctrine, before they were, or could be members of any other church.

Yet it is affecting to see how the memory of the good old ways of our fathers lingered about them, and, in spite of inconsistency, modified their speech. No one was asking for a dismissal. The vote before the Church was not to dismiss such as desired it, but to disband all, whether they desired it or not, and this is what was, in fact, done on the new theory. And yet the committee appointed by this suicidal vote, is directed to give letters of dismissal to all the remaining members of the church; just as if, after a church was disbanded, there were any remaining members—just as if it were possible to dismiss any one from a non-existing church. But this amiable inconsistency shows how hard it was to forget the good old ways of our fathers. Letters of dismissal used to be necessary before these new doctrines. But how would such letters, in this case, appear? “When received by you, their connection with us will be dissolved.” But the committee themselves belong to no church, and have no connection either with each other, or with those whom they profess to dismiss. By one potent vote, of seventeen men, all bonds have been sundered, all ties cut, and every individual who was once a member of the church, floats as a solitary atom on the surface of the ocean of this cold world. The committee may indeed testify that they were once church members, in good standing. Other churches may kindly pick them up, and take them in, if they see fit; but the idea of receiving them by dismissal from a non-existing Church, and from which they never asked a dismissal, is too absurd to be thought of for a moment.

Indeed, the committee, or some of them, seem afterwards to have become aware of the inconsistency of their position and duties, for to this day all of them have never met or acted together. Some have received letters from one of the committee, in virtue of which, other churches have admitted them to their communion. Others, who maintain the validity of the dissolving act, remain to

this day in connection with no church at all.

Such is a compendious view of the facts and principles with reference to which we are requested to advise. In ordinary circumstances we should have supposed it sufficient merely to state the facts. Aside from the influence of local excitements, particular ends, and personal committals, and on the broad ground of Congregational principles, it does not seem to us that there is room for a moment's doubt. And we cannot refrain from expressing both sorrow and wonder that it has become necessary seriously to argue a question like this. But local causes have given it importance. New principles have been introduced. With sorrow we say it, a council led the way. Men of talents and influence are committed in their defence, and even a conference has sustained them by its authority; although we are happy to state that at a subsequent meeting a majority would have voted to reconsider their decision, had not the vote of the moderator produced a tie and thus prevented it. Such facts as these create an emergency. We feel called on, therefore, as we value the very life of our system and of the principles of our fathers, to give a careful and thorough consideration to these new doctrines.

In our judgement, therefore, these principles are utterly and fundamentally erroneous, and the proceedings in the alleged dissolution of Howard Street Church are utterly invalid, for the following reasons:

1. They are in direct violation of the most obvious and best established principles and usages of the Congregational system.
2. Independently of their relations to the covenant with God, they are in violation of the obvious principles of natural right.
3. But especially are these proceedings inconsistent with the obvious and well established import of the covenant with God.
4. The principles and precedents thus introduced are most dangerous in their practical tendencies, furnishing an instrument of destruction to be used in every case of difficulty and division in our churches.
5. The defence of them has obliged their advocates to adopt principles hitherto unknown to our churches and subversive of our whole system.
6. The main argument by which the proceedings in question are commonly defended, an appeal to the rights of majorities, is entirely devoid of force.
7. The dissolving act was improperly recommended to the church by the council which advised it; the church not having voted to submit any such question to them for advice.
8. Even if on general principles a majority had power to dis-

band a church against the will of a minority, yet in the present case the church had established by special legislation a rule as to the mode of calling meetings, and the limitation of the powers of majorities, which clearly proves these transactions to be invalid.

1. From our previous investigations it is plain that if any principles of the Congregational system are obvious, undeniable and fundamental, they are these. 1st. That it is the duty of all regenerated individuals to enter into church estate in particular local churches whenever God in his providence renders it possible. "All believers ought, as God giveth them opportunity thereunto, to endeavor to join themselves unto a particular church, and that in respect of all the honor of Jesus Christ, in his example and institution, by the professed acknowledgment of, and subjection unto the order and ordinances of the gospel; as also in respect of their good of communion, founded upon their visible union, and contained in the promises of Christ's special presence in the church; whence they have fellowship with him, and in him one with another; also, for the keeping of them in the way of God's commandments, and recovering of them in case of wandering, which all Christ's sheep are subject to in this life, being unable to return themselves; together with the benefit of their mutual edification, and of their posterity, that they may not be cut off from the privileges of the covenant. Otherwise, if a believer offends, he remains destitute of the remedy provided in that behalf. And should all believers neglect this duty of joining to all particular congregations, it might follow thereupon, that Christ should have no visible political churches upon earth."—Platform, chapter 4, section 6. 2d. That this is effected by means of a mutual covenant with each other, which is enforced by the covenant with God, and that the organization of a church cannot be effected in any other way.—Platform, ch. 4, sec. 1–3. 3d. When an individual has come into such a covenant with a local church, he cannot be thrown out of it by the church, except for crime, but must remain in covenant with that local church till received by another. Of all these positions we have already given abundant proof.

Such, then, are the obvious and well-known principles of our system. And now what can be a more direct and absolute violation of these principles in every respect, than by a single vote of a majority to dissolve this covenant, and to throw every member of a whole church into the world, with none who has a covenant right to watch over, admonish, exhort, or reprove them?

What if they can, perhaps, join other churches? They have no *covenant* right to enter another church, or to enjoy its ordinances. They have lost the *title* to church privileges with which

with which they were invested. If perchance they enjoy them, it is a matter of mere grace on the part of other churches, and, as we shall soon show, is contrary to Congregational order. Moreover there is none to call them to account if they do not seek to join other churches, or if they fall into error or sin. They have therefore entirely lost what the platform specifies as one of the most important ends of church fellowship, "the keeping of them in the way of God's commandments, and recovering of them in case of wandering, (which all Christ's sheep are subject to in this life,) being unable to return of themselves. Otherwise, if a believer offends, he remains destitute of the remedy provided in that behalf."

2. But in the second place, thus to dissolve a church by the vote of a majority is an entire violation of the laws of natural right, even if no covenant with God were involved.

When two or more individuals enter into a covenant with each other, even in worldly things, mutual and reciprocal rights are created, so that one or more individuals cannot absolve themselves from their obligations to the others, without their consent. A majority of a copartnership cannot rescind their copartnership agreement, or put an end to it before the stipulated time, without being chargeable with breach of covenant, and exposing themselves to the payment of damages. Hence when a man has sworn, even to his own injury, inspiration tells us that if he is an upright man "he changeth not."

Is this true in the affairs of this world? Do even the men of this world avow this principle? And shall we introduce and advocate a lower standard of morality in the church of God, which ought to be the salt of the earth, the light of the world? Think for a moment of the facts of the case. By solemn mutual covenant they had been received into the church, and declared ENTITLED to all its privileges. They had been welcomed to the fellowship of the blessings of the gospel. A fraternal watch over them had been *pledged*, and a mutual *pledge* had been received. What right then has one part of the church, without the consent of the rest, to absolve themselves from obligations thus solemnly assumed? Much, more, what right have they to arrogate the power of absolving others besides themselves from their mutual vows? One of the highest charges against the papal usurper has been that he has assumed such power. What right have they to declare that even those who desire to remain united in covenant promises cannot? What worse did the man of sin when he assumed the power to change the immutable laws of right? It seems to us that a more direct and palpable violation of the laws of equity cannot be conceived.

Civilians tells us that it is a principle which pervades all free governments that "a moral power equal to and of the same nature with that which made, alone can destroy."* But a Congregational church comes into existence by the *personal* covenant of every individual member composing it, with every other. How then can it be broken up and destroyed without the personal assent of all the covenantors? What other moral power is equal to this, and of the same nature. Certainly not the vote of a mere majority. It exists by the personal covenant of each with each, it can cease to exist only when each releases each from that covenant.

Moreover jurists inform us that in a covenant three things are involved: first, the agreement; second, the consideration; third, the things to be done or omitted: But it is self-evident that to take away the consideration in view of which the covenant was made, is a palpable act of injustice. But the right to a permanent enjoyment of church privileges in a particular organization is always a consideration in entering into such a covenant. Without this, property would not be invested, or sacrifices made. But when the covenantors feel that they can secure permanent covenant privileges for themselves and for their children, from generation to generation, then they will erect a house of worship, set up the table of the Lord, open the baptismal font, and settle a pastor to break to them and theirs the bread of life.

Is it then for a moment to be endured, and after all this solemn covenanting, the very considerations in view of which the covenant was formed, and sacrifices made, shall be taken away? Shall a man who is guilty of no offence be told "the privileges of this organization, much as you value them, and whatever sacrifices you have made for them, can be yours no longer. True you are guilty of no disciplinable offence. We cannot directly cast you out. But a majority of us have concluded to break up this organization. You may go where you please, but in this church you cannot stay." Is it for a moment to be endured that such acts as this shall be done unrebuked in the church of God? Who, when members of a church, brothers and sisters, have done nothing at all to violate their covenant, has a right to dispoil them of those great spiritual privileges which were their main consideration in entering into the covenant. and which gold and the most precious gems can neither purchase nor equal? The pretence of giving an equivalent for these, by letters of commendation to other churches, is no defence against the charge of injustice. They have now church privileges. These belong to them by covenant. They are their own. If they choose to keep them, no power on earth has a right to take them away. No power has a right to insist that they shall give them

* Story and Rawle on the Constitution.

up, and take what others are pleased to call an equivalent instead. There is no equivalent when the most cherished treasures of the heart are thus rudely torn away.

3. Nor is this all. Even if all the members of a church were willing to release one another from their mutual vows, and to throw one another back into an uncovenanted state, they have and can have no right before God to do it. It will be noticed that we do not say that all the members of a church may not by mutual consent bring it to a close, by regularly passing from it into other churches. In this way no one is thrown back into the world in an uncovenanted state with none who has a right to watch over him. But we do say that if all of the members of a church were desirous to throw themselves out of a state of fellowship, into the world, by dissolving their covenant, they have no right to do it. Duty to God requires them not only to enter into church estate, but to continue in it. This, as we have proved, is fully stated in the Platform, and by all our standard authorities. It is recognized in the covenant found in Cotton Mather's Ratio, and which was the common form in 1726. "We acknowledge our everlasting and indispensable obligations to glorify our God in all the duties of a godly, and a sober, and a righteous life, and *very particularly* in the duties of a church state and a body of people associated for an obedience to him in all the ordinances of the gospel." It is recognized in the covenant of the Tabernacle Church in Salem. "We apprehending ourselves called of God into a gospel church state," and again—"We acknowledge our everlasting and indispensable obligations to glorify our God in all the duties of a holy, sober and religious life. Depending, therefore, on his powerful grace, we engage to walk together, *particularly in a church state*, in the faith and order of the gospel, as far as we shall have the same revealed to us by the word and spirit of God.

The first church in Boston entered into covenant "in the name of our Lord Jesus Christ, and in obedience to his holy, wise and divine ordinances," and "desirous to unite into one congregation, or church under the Lord Jesus Christ," "solemnly and religiously, as in his most holy presence," "promised and bound themselves" to walk together in church estate, and in the discharge of its duties.

The original covenant of the first church in Charlestown was in substance the same. At the present time it includes this passage:

"You do solemnly and religiously, as in His most holy presence, covenant and promise, through his grace, to walk in all your ways, and in communion with this particular church in special, as

members of it, according to the rules of the gospel. This you severally covenant and engage.

“We, therefore, the members of this church, [*here the members of the church rise,*] do now publicly declare our cordial reception of you, as members of the church of Christ, and of this branch of it in particular.

“And we covenant and promise, on our part, to watch over you agreeable to the directions of the great Head of the church, and to treat you as members in full communion with this church, and entitled to all its privileges.”

The views of the modern churches of Boston are well represented by the following extract from the covenant of Park Street Church, drawn up by Dr. Griffin.

“We welcome you to this fellowship with us in the blessings of the gospel, and on our part engage to watch over you, and seek your edification, as long as you shall continue among us. Should you have occasion to remove, it will be your duty to seek, and ours to grant a recommendation to another church; for hereafter you can never withdraw from the watch and communion of the saints, without a breach of covenant.

“And now, beloved in the Lord, let it be impressed on your minds, that you have entered into solemn circumstances from which you can never escape. Wherever you go, these vows will be upon you. They will follow you to the bar of God, and in whatever world you may be fixed, will abide upon you to eternity. You can never again be as you have been. You have unalterably committed yourselves and henceforth you *must* be the servants of God.”

In most of the Orthodox churches of Boston these views are explicitly stated. In all they are understood. And beyond all doubt this is the common understanding of our churches at this day. After the covenant of the Old South Church, the following statement is found:

“This sacred covenant has been deliberately entered into, and its high obligations voluntarily assumed, by every member of this church. Those obligations are now, and will be until death, upon every one who has assumed them; for he that “openeth his mouth unto the Lord, cannot go back.” See Judg. xi. 35. Luke ix. 62. Heb. x. 38, 39. 2 Pet. ii. 20, 21.

The views of this church of the importance of the duty of Christian watchfulness over each other, which is pledged in the covenant, are impressively stated in the following passage:

“When, in their company, converse frequently upon the things pertaining to the kingdom of God; and particularly of your duties and obligations as the covenant people of God. See Mal. iii

16. Heb. x. 24, and iii. 13. 'This practice,' says one, 'would be of eminent service to help the memory, in regard to our covenant obligations, as also to quicken unto obedience. Thus, for instance, when a brother is observed to be going into temptation, or in present danger of falling into some transgression, it is not improbable that these words, spoken in a suitable manner, in his hearing, **REMEMBER YOUR COVENANT**, would prevent his fall; or, if he has already fallen, it may be those words would be the means of recovering him out of the snare of the devil, and of bringing him unto unfeigned repentance.'"

If, then, it is conceded and taught on all hands, that it is a part of our covenant with God that we will come into covenant with a particular church, and continue in a church state till death, how can a church throw themselves out of such a state without a breach of covenant with God? Even if it is done under color of an intent, as individuals, to join other churches, still, to dissolve the covenant, and to withdraw Christian watch before all are under the care of other churches, is an unjustifiable mode of doing it. Covenanted duties forbid it.

By doing it they throw themselves into a state in which they have no assurance that all will ever be brought back into a state of covenant again. They throw up their watch when they do not and cannot know that grievous wolves will not come and tear and devour the lambs of the flock, before they are gathered into any fold again. It is on this ground that the Platform denied that the whole church has a right to throw up her watch over even one of her members, before he is safely received by another church. This is not a mere positive rule, it is based upon the principles of eternal right. Much less, then, has a church a right, even by unanimous consent, to throw up their watch over each other, and leave every member of the church a wanderer in this world of snares and temptations. If any should in consequence of such an act fall into sin and misery, and God should enquire of any of the former members of the church, where is thy brother? will it avail him to say I know not; am I my brother's keeper? What if he has voted to absolve himself from his vows to watch over him? Will God hold him absolved?

4. Upon the dangerous tendency of the principles and precedents which we are considering, few words are needed. Admit the right of a church thus to disband itself by the vote of a majority, for the sake of getting rid of "embarrassing" members, and what minority in a time of division or excitement would be safe? One or two bold and devoted men might be very embarrassing to a backsliding and worldly-minded majority. Some influential person who fears discipline, may regard those who desire to bring his

case up as very embarrassing elements in the church. Nothing now remains to be done but to watch his opportunity, rally his forces, gain a majority and vote to dissolve the church and form a new organization expressly for the purpose, in which these embarrassments shall not exist. Is it said, this cannot be done without the advice of a council? We reply, there is no such provision in any of our standard writers. They have given no rules for dissolving churches, by repealing the covenant. The case of course never occurred to them. Their principles led them to no such results. It is indeed usual, but not essential, to form a church by advice of council, with especial reference to the question whether it is needed. But if a church exists and is admitted to be needed, and it is in principle right for them to dissolve themselves and reorganize again for the sake of getting rid of embarrassing members, then we say, there is no provision in any of our writers that forbids them to do it on their own judgement. And even if it were orderly to do it only through advice of council, still they can do it without advice, or even against it. Moreover, in times of excitement on disputed questions which affect many churches, the majority of a church may easily call a council of such ministers and churches as are known to be hostile to an odious minority, and by their advice disband and reorganize again, leaving out the embarrassing minority. Who cannot foresee the end to which such principles would conduct, if once introduced into our system? Men might virtually be excommunicated without charge or trial, or opportunity of defence, and in every division and difficulty, the question of dissolution would come up. Is it not, then, the part both of wisdom and duty to foresee the ruinous results to which they tend, and resist them most strenuously at the outset? One thing is sure, if we do not desire to work an entire revolution in our system, and utterly to explode the principles and usages of our fathers, we are bound to regard these new doctrines with unmitigated disapprobation and displeasure.

5. The unsoundness of the principles in question is also clearly evinced by the grounds which their advocates are naturally, and of necessity, led to assume in their defence. Since the right of a majority to throw a whole church out of a state of covenant fellowship is to be defended, it becomes necessary to depreciate the necessity and importance of particular church covenants, or of being in connection with any local church at all. The community has, therefore, been told by leading ministers, in public arguments on this subject, before the pastors and delegates of a conference of churches, and the attendant assembly, that the Bible nowhere expressly requires a covenant of the members of a church to walk

together in the same church, as essential either to salvation or the church state, and that there is no certain evidence that the apostolic churches were so constituted by a formal mutual covenant among their members as to make a dissolution inconsistent with church order, or their christian profession. Their covenant, it is intimated, was only with their great Head; they were held together only by inward ties; and worshipped together or apart, as the case required. Of the same nature is the theory to which they resort, of a membership in a general or Catholic church, which still continues after a particular church is disbanded. In consequence of this, they tell us, the members of a disbanded church are not unchurched, nor deprived of any of their church rights and privileges. This membership in the church general they seem to think almost or quite equal to that in any particular church.

If the question at issue were, whether Congregational views of the church covenant be right or not, and if our brethren were appealing to scripture to prove them wrong,—all this, if true, would be very much in point. But the issue being what it is, viz: what are Congregational principles and usages?—we are not called on here to discuss the truth or falsehood of these theories, though it would be easy to show that they are utterly unsound. It is enough here to remark, that they are directly at war with the principles of our actual system, as illustrated by existing usages, and as laid down in all our leading writers. They all, with one voice, argue that the christians of the primitive churches were united by mutual covenants, and that the power to watch over and discipline each other, which they undeniably had and exercised, could not be derived from any other source. “We see not otherwise,” says the Cambridge Platform, “how members can have church power over one another mutually.” The platform also strongly inculcates the duty of believers “to join themselves unto a particular church,” out of regard both to the authority of Christ and to their own good.

Hooker calls the Presbyterian theory “that a pastor can be a member of the visible church, though he be a member of no particular congregation” (church), a “new paradox.”

He shows its absurdity thus: “All particular congregations are all the members that the visible church hath; therefore he that is not a member of a particular congregation, is no member of a visible Church.”

Yet on the Presbyterian theory, a minister has ties to Presbyteries, Synods, &c., and can be disciplined; but the members of a disbanded church belong to no particular visible church, have no tie to any organization, and are liable to no discipline. Much more would our fathers call this modern theory “a new paradox.”

Hooker also expressly states that when we speak of a general, or universal, or Catholic, visible church, the word church is only a generic term, and that "such a Catholic Church is never to be seen but in particular congregations (churches), nor yet ever exerciseth its power alone, (or *seorsim*), but only in the several assemblies." Indeed, all of our fathers regarded the idea of an organic universal visible church, with officers and sacraments, as the very radical error of the papacy. They also rejected, decidedly, the idea that the right to the privileges of the church was derived from union to any kind of universal church, visible or invisible. We have already quoted Hooker to this effect. Again he says expressly, in discussing the issue between the Congregationalists and their opponents, "*Confederating* makes persons members of visible churches; those who are *not confederate* we conceive *no members* of a visible church: and, therefore, *in that condition* they have no right, nor in a right order can challenge the benefits or privileges of members, nor *can any officer in a right order* dispense them unto such." Survey, part III., ch. 2.

He states the position of Hudson, whom he is opposing, substantially thus: One in a state of membership with the Church Catholic hath thereby a right unto all church privileges; and even if he see fit to join a particular church, that does not give him any new right to church privileges. All proceeds from his membership with the Catholic Church. This he proves to be "*an open contradiction in terms* to God's revealed method."—Survey, part I., ch. 15. Cotton, in his "Way of the Congregational Churches cleared," is no less explicit. And the Cambridge Platform teaches that believers, if they are not *in church order*, cannot enjoy *communion ecclesiastical, political*, although, like the twelve disciples at Ephesus who had not been regularly admitted to the church, in the usual manner, they may be professed believers in Christ, and, in that sense, members of the militant visible church. But regular ecclesiastical communion, according to the Platform, belongs only to such as "walk according to the church order of the gospel," that is, in local churches. They also expressly deny any universal visible church, through union with which believers can obtain a right regular ecclesiastical communion in local churches. This can be to obtained only through a covenanted union with particular churches.—Ch. 2, sec. 4. Hence, as Hooker says, while thus not united, no officer can, *in a right order*, dispense church privileges unto them.

Such, then, are the fundamental principles and accredited usages of Congregationalism on this point. but these theories of the defenders of the church-dissolving power, tend directly to lead the

community to believe that it is of very little consequence whether they are members of any particular church or not, or are in a covenant or not, and thus to aim a blow at the very vitals of our churches, and utterly dissolve the bonds of our whole system. Who would have expected to hear such sentiments from pastors of New England Congregational Churches? How unsound must be that position, the defence of which impels and obliges them to promulgate such theories. But, above all, who could have imagined that such views could be put forth under the pretext of defending the fundamental principles and accredited usages of our church polity! Had they charged our fathers with gross error, and justified their antagonists, and set up the standard of radical reform, all of this line of argument would have been perfectly consistent. But to claim to be inspired by reverence for the fundamental principles and accredited usages of our fathers, to engage with all their might in the work of utterly exploding, and absolutely and thoroughly destroying them, is indeed a phenomenon that fills us with undissembled wonder and astonishment.

What, then, it may be asked, can be that main ground upon which proceedings such as these are defended? Whenever good and intelligent men go thus far astray, it is not commonly under the influence of absolute error, but of some important truth, either partially apprehended, or applied out of its proper sphere. So in the present case, the advocates of these new doctrines profess, and, we do not doubt, with sincerity, to be swayed by a supreme regard to the great principle, that, in a Congregational church, it is the right of the majority to administer the government according to their will.

In defending their course, the Tabernacle Church appeal to "the inalienable rights of majorities." The conference also say in their vote, "whereas, it is an admitted principle that in the action of Congregational Churches laid down in the New Testament, and in the records and symbols of our churches, that majorities govern: and, whereas, we find no accredited precedents in the usages of the church to the contrary, and do not feel willing to institute one,—therefore resolved, that the claim of our brethren to be the late Howard Street Church ought not to be allowed, and it is not allowed." We are happy to learn that all attempts, by the pastors of churches, to exercise or establish a power of veto, or of suspension, by the pastor, of the acts of majorities in the church, are not accredited precedents.

We are of the same opinion. We not only freely admit, but decidedly maintain, that it is a fundamental principle of our system, that the majority shall govern. But all who attempt to defend the

proceedings in question by this principle, err in both the particulars above specified. In the first place, they do but partially apprehend the principle to which they appeal, and in the second place, they apply it out of its sphere.

Although the power of government undeniably resides in the majority, yet they can exercise that power only within given limits, and in accordance with certain fixed principles.

These principles and limits are established sometimes by the nature of things, and the great law of natural right, at other times by the fundamental principles of our ecclesiastical system; at others, by express authority of the word of God, and again, by special legislation. Indeed, it is admitted in all equitable governments, that the supreme ruling power, whether a monarch, an aristocracy, or a democratic majority, ought not to have arbitrary or unlimited authority in government, but to be limited within a fixed and definite sphere. The inhabitants of England have well-defined individual rights, which neither kings, lords, nor commons, nor all combined, are allowed to touch. So, too, they have equally inviolable civil, social, and religious rights. The constitution of this nation, and those of the particular states, set forth bills of individual, civil, social, and religious rights, which no majority can abrogate. Moreover, the legislation of all the states is, by the national constitution, stringently restrained within definite limits. For example, the privilege of the writ of *habeas corpus* cannot be suspended except in cases of rebellion or invasion. No bill of attainder, or *ex post facto* law, can be passed. The freedom of the press and of debate cannot be taken away. The right to bear arms, to assemble for discussion, or religious worship, and to petition, is inviolable. No title of nobility can be granted. No law impairing the obligation of contracts can be passed. Within these and similar limits, some established on the ground of natural right, others by positive legislation, majorities are obliged to act in all other states. Within definite limits, then, and in accordance with certain fixed principles, majorities rule. They would become the very worst of despots if it were not so. The difficult problem in democratic governments is, not to defend the rights of majorities, but of minorities and of individuals. The strong are not in danger but the weak. Hence, if while all free civil systems defend individual rights and those of minorities, with sedulous care, Congregationalism leaves them without defence, a Congregational church is the worst of despotism. If, while civil systems will not allow a law to be passed, even by a unanimous vote, impairing the validity of contracts, Congregationalism gives to a mere majority the right of utterly dissolving the most solemn and affecting covenant

ever framed in the universe, it would be a system deserving of the highest and most unmitigated execration. But it is not so. Nothing is more notorious, and more universally admitted by our churches, and all our standard writers, than that the power of majorities in Congregational churches is limited, always by natural right, the word of God, the fundamental principles of our polity, and often by special legislation, in each church for itself. Illustrations of the truth of these remarks will occur at once, to every thoughtful mind.

No majority has a right to expel a member from the church, who has been guilty of no offence—nor to expel any one without trial, or an opportunity of defence. No majority of a church has a right to violate their covenant with God. No majority has a right to promulgate infidel principles, nor in short, to violate any principle of that universal law of right, by which even the Judge of all the earth admits himself to be bound, and in the universal observance of which in his own judgment his highest glory lies. This truth is well expressed in a manual of church discipline recently published, to which we refer at this time because the originator and advocate of the new doctrines which we are considering, was one of the sub-committee by whom it was drawn up, “A church,” say that committee, “is not a simple unrestricted democracy; inasmuch as it is subject to the authority of its king and sovereign, who has given laws which must regulate and control the acts of the brotherhood.” Nothing can be more true than this. And if this is so, then there are certain things which not only no majority, but not even the whole church, although by a unanimous vote, has any power or right to do.

And now in all solemnity we ask, when or where has the king and sovereign of the church, given even to a whole church, although acting unanimously, a right so to dissolve a solemn mutual covenant to watch over one another as Christian brethren, a covenant assumed before the universe, with this most solemn and affecting pledge, “I set my seal to a full determination that in life and death, I will be faithful to this covenant. This people is my people, and this God is my God. Thus I promise and declare,” so to dissolve such a covenant that not one member of that church shall be any longer in covenant with another, or with any other church to which he can say, this is my people and this is my home?

Much more earnestly do we ask, when and where has the great Lawgiver and Head of the church given the right to a meer majority of the brethren who happen to be at a particular meeting of the church, to declare this covenant dissolved throughout the

whole church, so that not one brother or sister is any longer in covenant with another, and that too whilst members are protesting against the act as a violation of their most sacred and cherished rights?

Will it be said in reply to this, we cannot admit the principle that a minority can veto the act of a majority? We reply, it is not the minority which in such cases vetoes the act, but its own intrinsic unlawfulness. It is at war with the great laws of truth and righteousness, established by the King and Head of the church and His authority pronounces it invalid.

Indeed, it seems to us wonderful that any one should suppose that it is an essential part of Congregationalism, that the action of majorities should always be held valid—and that the Essex South Conference could find no accredited precedents in the usages of the churches to the contrary.

What is our system of ex-parte councils but a deliberate, designed, systematic check upon the abuse of the power of majorities? So Matlier in his Ratio states the case, among our earliest usages and precedent..

Upham also says, that one great object of Congregationalism is to preserve every individual in the full possession of his religious rights, and that ex-parte councils were designed to defend them, “by checking the violent and unjust proceedings which so often characterise a dominant party.” Therefore he calls them “sort of deystone to the system, which binds and consolidates the arch of the fabric, and gives it strength.”

Punchard also says, that these councils “furnish an effectual check to the exertion of arbitrary power on the part of a majority of a church.”

The very genius of our system, therefore, requires that the action of the majority in the present case be declared invalid, as contrary to the laws of equity and of God. Even if such were not the fact, it would be invalid because at war with the most firmly established principles and accredited usages of the Congregational system. We have shown that nothing can be more explicit, nothing more universally recognized, than the principle laid down in the Cambridge Platform, “the church cannot make a member no member, but by excommunication.” What can be more directly at war with this than to make the members of a whole church, no members, by the vote of a majority, or indeed by any vote to all?

7. But even if it were possible to admit the idea that a bare majority could disband the church against the wishes and protest of a minority, still in this case the facts are such as to show that it has not been regularly and properly done. Much weight has been

attached to the fact that a council advised the dissolution. But in reply to this it should be said, that the question was never properly brought before a council. There was no vote of the church to submit such a question to a council. No one even pretends that such was the fact when the church decided to call the council. They voted to call a council solely for the dismissal of their pastor, Rev. Mr. Mann,* and appointed a committee to prepare and send out the letters missive. That committee, unauthorised by the church, and on their own responsibility solely, inserted the clause, "and to advise them on other difficulties." The church, therefore, did not call the council to advise on this matter, and no opposition was made to calling the particular council which met, because it was supposed that they would act solely with reference to the dismissal of the pastor. Of this the council were informed, it was therefore out of order for them to recommend a dissolution of the church, and their advice ought to have no weight.

8. Moreover, even if the act of the majority were not invalid on these grounds, it is in this case, on the ground that it is at war with a limitation imposed by the special legislation of the church itself on the power of the majority, and with the mode prescribed for calling such meetings of the church. Fourteen rules and regulations had been established by the Howard Street Church. These relate to the form of government, mode of discipline, admission, and dismissal of members, the times of church meetings, the administration of the Lord's supper, the observance of monthly concerts of prayer, and other similar topics. Of these rules the eleventh as follows, "No alteration shall be made in any of the foregoing rules, unless at a regular meeting for business, *it having been proposed in writing one week previously, and two thirds of the members present voting for it.*" Now on this we remark that, inasmuch as the question of the utter dissolution of the church is the most important question that can be raised, if the church forbade altering even a regulation as to the time of the Lord's supper or observing a monthly concert, except by a vote of two thirds, and after a week's written notice, much more did they forbid the dissolution of the church by the votes of a mere majority, and without any such written notice, or any public notice at all. Moreover, by dissolving the church, the rules as to the observance of the Lord's supper, of church meetings, of monthly concerts, and of all other services, and every other rule, would be virtually repealed. If then that cannot be done indirectly which the law forbids to be done directly, surely a vote to dissolve the church, passed by merely a small and accidental majority, and without any previous written notice at all, is on every principle, both of law

*Note. 11.

and equity, null and void. Yet the legal notice was never given, nor did two thirds at last vote for the dissolution.

This consideration is of itself absolutely decisive. It is abundantly sufficient to settle the case. If we had no other ground of declaring the disbanding vote null and void, this would be all that we need. Similar principles are contained in our civil constitutions, the fundamental principles of which cannot be changed by mere majorities.

But we do not desire to fix the mind on this alone. As the general question is now up, we desire that it may be settled in accordance with the great general principles of our system, and on grounds of eternal right. We desire to re-echo the truth that a majority has no right to violate the fundamental principles of our ecclesiastical polity, or to contravene the eternal laws of natural equity. They have no right to violate a covenant of God, or with man. It would be, as we have before said, no violation of covenant if all the members were to pass in an orderly way into fellowship with other churches till none remain. In this case the church would become extinct, but no covenant would be broken. Nor would this contravene our ecclesiastical polity. The church would not thus make a member no member. So also two churches may be united, if it is so done that no one of either is thrown out upon the world, as a member of no church. But in no case is it lawful to disregard the great principle that the church cannot make a member no member, except by excommunication.

If it should be said that the necessity of observing these principles may involve great inconvenience, and may prevent the dissolution of churches when it is desirable, we reply, it may cause great inconvenience to an upright man who has sworn to his own hurt, not to change, yet the pen of inspiration has given it as one of the decisive tests of a citizen of the kingdom of God, that when he has thus sworn even to his own hurt, he will not change. And shall a whole church swear to watch over each other, till they are safely in another church, and then a mere majority, to avoid inconvenience or any other alleged evils, change from what they have sworn, declare that all obligations to watch over each other are at an end, and against remonstrances and protestations, cast out their brethren into the world with none to watch over them? The mutual covenant of the church is one of the most solemn engagements in the universe. Doubtless God so regards it. Shall it be trifled with? And shall a church weigh considerations of convenience or expediency against the solemn demands of right and principle?

Not only is the principle of the right of a majority to govern, partially and incorrectly apprehended, as we have shown, but it is

applied out of its proper sphere. The right to govern implies the existence of a community to be governed, and its proper sphere is in the government of that community. But the dissolution of a church is not an act of church government, but of church destruction. It is an act that renders government impossible. It destroys alike majorities and minorities, and reduces what was once a community to scattered, disorganized, and ungovernable fragments.

Appeal has been made in defence of this mode of proceeding to the rights of communities to revolutionize governments by the vote of a majority. But the cases are totally unlike. No nation exists by a covenant, like that which gives its being to a Congregational church. And though a Congregational church is a democracy, yet it acts under fixed divine principles : the principles of a covenant revealed in the word of God, which it has no right to repudiate.— Moreover, the right of revolution and disbanding are not the same. No nation or people ever attempted so to disband itself as to destroy all political ties between citizen and citizen, and all right of government, after appointing a committee to distribute its citizens, by letters of commendation among other nations. No nation is likely to claim the right to do it. They claim the right indeed to change existing forms of government, but they remain organized under one form till they pass under another ; and they so pass as not to invalidate existing titles to possessions and property. But on these new principles, under the pretence of governing, a majority have a right of destroying both themselves and the minority. This is not the right of government, but of suicide. It is the right of a majority not only to destroy their own rights, but also to plunder others of theirs.

After all, we cannot but wonder what can be the cause that so much zeal is manifested in behalf of the right of a majority to disband a church. If the disbanding of a church were some great good, some glorious result, for which churches were ordained, we could understand it. But what church, once organized, does not naturally desire to live and bless the world till Christ shall come to sit as judge of quick and dead. Why do we find nowhere in the Bible any directions as to this mode of dissolving churches for which so much zeal is manifested ? Why do we find no such directions in any earlier or later works on our church polity ? Is not this a significant fact ? Does it not proclaim the truth that to live and increase is the great end of a church, that its death is an event to be deprecated as unspeakably mournful, and that no directions are given as to the newly-invented mode of self-destruction, because it is not a thing even to be once thought of ? If, in the

inevitable providence of God, a church once formed must cease to exist, let it be either by the act of God taking all its members to heaven, or by so placing them under the care and watch of other churches, that the church shall not cease to exist till they are all safely located in a Christian home.

It is suggested by the Tabernacle Church, as a reason for not granting the request of Brother Goss, that the Essex South Conference had refused a seat to the delegates of the Howard Street Church, on the ground that it had been dissolved by vote of a majority of the church. We have looked into their proceedings, and find that such was the case. But this council does not perceive that weight should be given to this suggestion. We cannot agree that the orderly standing of a church, recognized as such by neighbor churches in ecclesiastical council, should be impeached in this way. The objects of these conferences are mutual improvement and instruction, and union in prayer and action, in favor of weak churches: "they expressly disclaim all interference in the rights of particular churches, and they exercise no acts of authority or discipline."* Attempt have been made to confer upon these bodies consociational powers, but it has been fully ascertained that no such change can be admitted into the ecclesiastical polity of this state.

Such an attempt was made, and the proposals sent to all the churches in 1705, which was repelled with great power of argument, and boldly and effectually rebuked by Rev. John Wise, the admitted *legal* expounder of the Platform; † and it would seem that the present is a suitable time to reprint his tract on that subject. We extract a sentence or two: "This attempt is in defiance of our constitution, and strikes at the root of our government; for our Platform denies the classical state of the churches. It sets at naught the 15th and 16th chapters for convening councils for the service of our churches, and signs the condemnation of a form of government, settled by rules of equity, settled and established by all the churches, and blessed by God through a long succession of years. I shall, for my own part, with the jealous Laocoon, enter a caution against taking down the sides of the city, and opening the walls of our Zion, and letting in this Trojan Horse." The scheme was rejected. Dr. Cotton Mather says, "There were some very considerable persons among the ministers, as well as the brethren, who thought the liberties of particular churches to be in danger of being limited and infringed by its adoption."

In 1815 another and more strenuous attempt was made to establish consociationism in this way, and it was everywhere opposed by the laity, and by many distinguished clergymen—most espec-

*Up. Rat. Disc. 237, &c.

†"Churches' Expose Quarrelld."

ially by Rev. Doctors Spring and Emmons. Dr. Spring published a tract on the occasion, in which he says, "it is not authorized by reason or revelation ; it is not friendly to the liberty and rights of conscience and exceeds the plan of the Fathers by placing the churches under the care of standing councils." Dr. Emmons contended that it tended to foster feelings of pride, place, and power, to introduce a hierarchy, as in the early ages of the church, to create a jealousy of the clergy, and to destroy that *personal* influence so necessary to their usefulness. The failure on this occasion was so decisive, that we have no reason to expect another attempt of the kind.

The discipline of the Platform, which has stood against these and some other minor attempts now for two hundred years, is very plain and clear. An assembly of Christians claims to be a Congregational church, and sends its pastor and delegates to the conference. The conference questions the claim. Here, by consent of parties a mutual council between the conference and the questionable church can be called ;* but if none such is agreed on, the way to settle the matter, by our Platform, is perfectly plain.

One of the churches *acts as a church*, and deals with the church called in question, as does a *brother* with an offending *brother*. It may advise them to reorganize. If they do not observe the advice a charge or complaint is made to another church, and after notice and action, and refusal, these two churches call a council to advise and act on the subject. If the church complained against persists or is contumacious, sentence of non-communication is regularly pronounced.†

But this conference postponed the Platform, and wholly disregarding its provisions, made a summary disposition of the claim of the pastors and delegates, and put the sentence of non-communication immediately into effect. This is what is called coming to a result *per saltum*—leaping over the constituted forms of trial, andumping to the conclusion. This is not Congregationalism, and it is equally plain that these conferences cannot hear and decide ecclesiastical cases, or take jurisdiction of them, with any proper regard to the principles on which they are formed or acknowledged by our order ; and if they become organized as judicial bodies, they must necessarily be consociational—bodies which, it is quite certain, will not be tolerated in Massachusetts.

But far worse than consociationism, in the opinion of the council, is a collateral, summary jurisdiction, which disregards the pro-

* The council has been informed that such a council was offered on the part of the church, but it was not accepted.

† Punct. 116 ; Mat. c. 15 ; Math. Rat. Dis. 172 ; Up. Rat. Dis. 206.

visions of the Platform, and if not final, nevertheless disparages character in an unauthorized manner, and creates prejudices unfavorable to fair and impartial trials in a congregational way. The council, therefore, cannot see, in the proceedings of the Conference, referred to in the reply of the Tabernacle Church to the request of Brother Goss, any good reason for withholding letters testimonial and of dismissal.

Whether a Congregational church shall be cherished, improved, aided by advice, and dealt with according to the Platform, or become extinct and annihilated, are questions of interest and magnitude to all its members, as well as to neighbor churches, and to all who love zion. When a church are already connected with a religious society and have a house of worship, and are sufficiently numerous and of sufficient ability to sustain the worship,—it would seem that absolute necessity alone could induce the members to abandon the worship and throw up their covenant. In other days instead of compliance, they would have been “resistance unto blood.” The only definite reason which we have seen assigned for the advice given to the Howard Street Church to break up, comes from members of the Conference, (stated as that which induced the council so to advise,) and is—“that discipline in the church had been a long time frustrated,—that there had been no discipline for a long time, *because it was impossible.*”

To justify this strong language, the church must have been exceedingly corrupt ; and the MAJORITY of the members *must have chosen* not to exercise discipline. But if such were the fact, with what consistency could the council advise that letters of commendation should be given to all, as without exception suitable persons to join other churches ? Moreover, if there is guilt in neglecting discipline, it is of course the guilt of the majority, for so long as they are the majority, they could maintain discipline if they would. Is it not then a singular proceeding to advise those who by the supposition are neglecting known duty, to disband the church, and thus put themselves in a position in which no power on earth has any right to call them to account ? As a church they could be called to account for neglect of duty. But as disbanded individuals they cannot be.

But we cannot persuade ourselves that *Christiau* discipline was impossible. Was there no member who had love enough “to go to his brother in a Christian spirit and manner to ‘tell him his fault?’” And would the MAJORITY refuse to take notice of a complaint for a palpable offence, the first and second steps having been so first taken ? Was the trial made, and made as it should be made, with desire to gain the brother, by prayer and entreaty

and importunity? Did the majority in this spirit make the attempt? However this may be the remedy advised to heal this alleged disease of the church was worse than the disease.

It appears to this council that the troubles in this church, concerning which we have heard considerable account, and read many documents, were not attended to, by the majority, or by neighbor-churches, in the spirit and manner prescribed by the law of Christ and the provisions of the Platform; and that the expedient devise to heal them, was such that its failure need cause no disappointment. "When men undertake to be wiser than the law," it is no new thing that they do not succeed. Any other discipline than *Christian* discipline, is a thousand times worse than *no* discipline. It is known and felt by the offender that it is wrong and he is irritated; other members know it and sustain him, and a faction is created in the church not easily removed or suppressed.

If a church be corrupt—does not maintain discipline or the ordinances, our platform provides a discipline in respect to such corrupt church, which we understand was not pursued in this case. If this church had been in so great a fault and extremity, as is alleged, or in any considerable wrong, neighbor churches should have taken the steps which it directs—steps, which, if taken in the right spirit, we believe have never failed of success.

However, as every member of the church was to be recommended to other evangelical churches, it cannot be supposed that it was as corrupt a church as not to be able to administer true Christian discipline. But if they neglected their duty, other churches should have called them to account. The spirit of our system demanded this, and not the destruction of the church. Congregationalism is conservative. It holds on to all that is sound, and provides the means of healing difficulties and disorders both of individuals and of churches, and does not crush or destroy a church even when its disorders are not at once healed by the means which it provides. Although it may put a church out of communion, it still hopes for its return. Such was the case in Salem itself in 1733. At that time the second church in Boston called the first church in Salem to account, and the sentence of "non-communication" by about twenty churches was declared against it. After several years the church in Salem penitently acknowledged its errors, and the sentence of non-communication was taken off. (Wisner's Hist. Ser. p. 105.)

The political philosophy of Burke, so much admired and applauded, was applied to the *reformation* of abuses; that of the French philosophers of his day was—instantaneous demolition, and organizing the state anew. The consequences of their work soon proved the wisdom of Burke, and the folly of the philosophers.

The council does not perceive the wisdom of the experiment made in this case. Demolition, disbanding, dissolving—no such remedies are provided in our polity of healing disorders in churches. Such a course impeaches the wisdom of our fathers, which provided other remedies, and disregards their practice and the usages of the churches, and tends to bring our whole system into disrepute.

The council cannot but observe that the vote, by which it was attempted to dissolve the church, seems to have been a very rash and improvident act, besides being wholly ineffectual. When matters of great importance are to be settled in the church, care should be taken that all the male members be notified, and time for consideration and prayer and conference, personally and collectively, should be taken, and at last something more than bare majorities should be sought and obtained.* In this case, no written notice was regularly given that a meeting would be held for the purpose, although it was a question of the greatest possible importance. Moreover, although it was debated at some of the usual meetings for business, it is doubtful whether all of the members knew that the matter was before the church; not above two or three more than half of the male members were present, and the final vote was but seventeen in favor of the measure, and ten were opposed to it. It is not our usage to pass acts of less importance than this without a greater unanimity.

This fact and the subsequent results show the wisdom of not forgetting or disregarding the fifteenth and sixteenth chapters of the Platform.

After the vote to dissolve the church was passed, at a subsequent regular meeting it was agreed to convoke a council to advise as to whether or not they continued to be a church, and that convened and advised that the Howard Street Church was not dissolved. These papers and proceedings are annexed and marked.†

This council is not advised of any reasons or facts which show that the advice of this council does not stand good, nor why it should not be respected by the Orthodox community. It has been objected that the council was *ex parte*. We do not think it was so in the usual sense of that term. A church, feeling the need of advice and light, may well send for the advice of neighbor churches, without calling it *ex parte*. Such, also, is the case of a council to advise as to an ordination, or the gathering of a new church. There must be an *adverse party*, not offered a mutual council, in order so to characterize an ecclesiastical council. In

*Punch. Cong. 170.

†No. 13.

this case, the majority had probably taken their letters and joined other churches, and so could have no more interest in the question than other members of the churches to which they belonged; or, not having used such letters, they were still members of the Howard Street Church, and so must be considered as joining in the call, and also as having a right to be heard before the council convened. Further, having seceded, and not continuing to worship with the church, they had voluntarily abandoned all right to its property, whether it continued, ecclesiastically, to be a church or not.

It appeared also, that, having been so advised, that they were a church, they continued their worship and called a pastor, and convoked a council of Orthodox churches, to advise, as to his installation, and that the council assembled and advised that it should take place, and proceeded to install him as pastor of the Howard Street Church.* Thus was he settled as pastor of the Howard Street Church, and continues to be such upon a stipulated salary, preaching and administering the ordinances. Here is certainly *prima facie* evidence that this church is entitled to the fellowship of all our churches, and the proceedings of the first council are necessarily recognized as valid, ratified and confirmed. What more have any to seek among our churches to entitle them to communion, than the proceedings of these councils afford in favor of *this* church?

If any of the churches were "otherwise minded," our Platform prescribes the manner in which they should proceed against heretical and disorderly churches, and all our writers agree that it is the only way provided in such cases, in the Congregational system.† But no such steps have been taken with this church, and until they shall be, this council sees not why its standing should be called in question.

In view, then, of all that has been said, it is the opinion of this council, that the vote of a majority cannot dissolve a church against the consent of a minority; and it appearing that the Howard Street Church has not been otherwise dissolved, and that the minority claim membership there, and have acted and still act as that church, and sustain its meetings, the ordinances, and the ministry, this council advise that that church has not been dissolved, but still exists on its original foundation.

They also advise that Mr. Goss renew his application to the Tabernacle Church for a letter of dismissal, and recommendation to the Howard Street Church, and if his request be refused, that he offer himself for membership to the Howard Street Church and that the Howard Street Church be advised to receive him.

*No. 15.

†Plat. ch. 15. Punch. Cong. 185, 186.

In conclusion, so far is this council from yielding to the reasons assigned by the Tabernacle Church for denying the request of brother Goss, founded on the objectionable standing of the Howard Street Church, that it considers this church, if not *primus inter pares*, as an ancient church, yet, at least, an *equal*, entitled to the sympathies and the affections, the help and encouragement of all the Orthodox churches in the community. And more especially should they have our sympathies and our prayers, if not our thanks, for the stand which they took in favor of the holy covenant,—not consenting to break, but contrariwise inflexibly determined to keep it, “to hold it fast and not let it go,” thus setting an example of integrity and fidelity in the midst of trials, “perils of brethren,” and formidable opposition without and within, holding up, as a standard, the ancient covenant of our fathers, and calling upon all the churches to look at it as the great charter of all the churches of our order throughout the Christian world. Why should an Orthodox church be crushed? Who among us all would put our hand to such a work? Why should *this* church be crushed? It is admitted by all, that a church, and the worship and ordinances, ought to be sustained in Howard Street.—What possible interest or valid reason can there be that it should not stand on its ancient foundation, and preserve and show forth its ancient name and its ancient covenant? Do any covet its name? We are not so advised. Do any covet its property? We know not; we suppose it is not rich in this world’s goods, but hope it is “rich in faith,” and if it is a trustee for its poor, we hope “they will not be sent empty away.”

It seems to the council that all the churches must feel interested to keep this church in their community, and that scarcely a greater cloud of grief could come over them than would come by the extinction of this light. The beloved disciple said, “I have no greater joy than to hear that my children walk in the truth.” We hope that this spirit is in all our churches, and that as the extinction of this church would be mourned as the annihilation of long-cherished hopes, so its confirmation and its walk in the order of the gospel and the communion of the churches, will be hailed as the highest consummation of Christian joy.

REUBEN EMERSON, *Moderator.*

A. L. STONE, *Scribe.*

APPENDIX.

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No. 1.

VOTE OF REFUSAL.

SALEM, Aug. 25, 1849.

To Mr. E. Goss.

At a meeting of the Tabernacle Church last evening your request was presented, and after some discussion in a *kindly manner*, the following vote was passed—

“Viz—that in view of the circumstances in the case the request be not granted.”

HUMPHREY COOK, *Church Clerk.*

PREAMBLE AND RESOLUTIONS OF THE TABERNACLE
CHURCH.

At a meeting of the Tabernacle Church, Friday evening, Sept. 28, 1849, the following preamble and resolutions were passed, viz :

Whereas a member of this Church has requested to "be dismissed and recommended to the Howard Street Church," and whereas while the Howard Street Church was under the pastoral care of the Rev. Joel Mann, a Mutual Council, called to consider the difficulties existing in said Church, advised that the Church should be dissolved ;—

And whereas, agreeably to the advice of the said Mutual Council, and after mature consideration of all the circumstances of the case, a vote was passed by a majority of the Church, to dissolve the Church, provision being made, however, for a regular transfer of membership to sister churches ;—and

Whereas, this Church has recognized the validity of the aforesaid vote, by receiving members, agreeably to the aforesaid provisions for a transfer of membership to sister churches ;—and whereas, notwithstanding the result of an *Ex-parte* Council, called by the minority of the said Howard Street Church, —the Essex South Conference of Churches decided that the delegates of the said minority were not entitled to a seat in the Conference, in virtue of their claim to be considered the delegates of the Howard Street Church as known and recognized, previous to the vote, by which the said Church was declared to be dissolved ;—

Therefore, Resolved, 1st, That as at present informed in relation to the whole subject, we are not aware of any sufficient reason to repudiate and disregard the decision of the Essex South Conference, in October last, by which the action of the aforesaid majority of the Howard Street Church was indirectly, yet distinctly and absolutely sustained—

Resolved, 2d, That in the judgment of this Church, it is not consistent with the principles of order and fellowship in our Congregational Churches, nor promotive of the best interests of the community—to recognize the claims of the aforesaid minority of the Howard Street Church, to be the original and undissolved organization as known and acknowledged previous to May 4th, 1847, when the vote was passed which declared the Howard Street Church to be dissolved, and no longer to exist.

Resolved, 3d, That until prepared to rescind the foregoing resolutions, and reconsider the facts, which are presented in the foregoing preamble of the said resolutions ;—it will not be consistent or proper for this Church to grant letters of dismissal and recommendation to membership with those who claim to be the Howard Street Church in this city—without any regard to the proceedings by which we have considered the said Church regularly and truly dissolved.

Attest, HUMPHREY COOK, *Church Clerk.*

Sept. 28th, 1849.—At the meeting of the Tabernacle Church this evening, the Committee on Br. Goss's request *reported* and the Church accepted it ; and adhered to their former *vote*—

Viz., that under existing circumstances Br. Goss's request cannot be granted.

HUMPHREY COOK, *Church Clerk.*

No. 3.

REPORT OF THE COMMITTEE.

TO THE TABERNACLE CHURCH.

The Committee appointed to explain to Br. Ezekiel Goss the reasons why the Church could not grant his request to be dismissed and recommended to the Howard Street Church, so called, have attended to the service.

Agreeably to what was stated at the time his request was acted upon, the Committee informed Br. Goss that it would not be at all consistent for this Church to grant his request, because the standing of those with whom he desired to be connected is considered by this Church to be irregular.

The Committee also stated to Br. Goss that his own walk had been irregular; they reminded him that he had not fulfilled his covenant engagements, inasmuch as he not only absented himself from the meeting of the Church which he used to attend very constantly, but has not for a considerable time worshipped with the Church or been present at their communion season.— This absence appeared to be in consequence of some offence which he had taken, or some alienation of feeling which ought not to exist, and therefore it would not be proper to grant his request, even if there was no objection in regard to the standing of those to whom he has requested to be dismissed and recommended.

IRA A. BREWSTER, }
JONA. PERLEY, } Committee.

Salem, Sept. 28th, 1849.

No. 4.

LETTER OF MR. CARLTON.

SALEM, Jan. 8, 1850.

Rev. and Dear Sir:—On the morning after the session of the Council in the case of Mr. Goss, you remarked to me, that the action of the Council had been considerably embarrassed by the intimation that Mr. Goss was still under the discipline of the Tabernacle Church; i. e., that a process of discipline had been commenced with him, and was still unfinished, or, in other words, had not been finally adjudicated by the Church; and you asked me if this intimation was true, to which I replied, emphatically, that it was *not true*.

To prove to you now, sir, that the suggestion was not true, I submit to you, agreeably to your request, the following brief statement of facts.

1. When Br. Goss first presented his request to the Church for a letter of dismissal and recommendation to the Howard Street Church, no intimation whatever was made by any one, that any brother had commenced a course of discipline with him. And, besides, the pastor distinctly stated to the Church, that he had intended, that very week, to request some one of the brethren to converse with Br. Goss in relation to his long absence from the meeting and communion of the Church; but that the request of Br. Goss had taken him by surprise.

2. After the Church had voted, that, "under the circumstances," the request of Br. Goss could not be granted, he sent in a communication, desiring to know what "the circumstances" were. The Church raised a committee, and directed them to wait on Br. Goss, and give him an explanation.

That Committee subsequently reported to the Church, in writing, that they had attended to the duty assigned them, and had told Br. Goss the reasons for refusing his request were two; viz., that the Howard Street Church, so called, was not considered by them as a regular church, and that his walk had been disorderly. Br. Goss then appeared before the Church, and asked permission to reply to the two reasons assigned by the Committee; but he was told by the pastor that he could not be allowed to reply at all; not, certainly to the first reason, because the Church had taken *final* action on the subject of the Howard Street Church, and therefore that subject could not be re-opened; and not even the second reason, because the Church had not only brought no such charge, but had made no charge whatever against him. And when it was suggested that the action of a committee of the Church was, in reality, the action of the Church, the pastor replied, that the report of the Committee had only been accepted, but *not adopted*, and that, therefore, their action was but the action of individuals, and not the action of the Church. And Br. Goss was repeatedly told by the pastor and certain members of the Church, over and over again, that the Church had neither charges nor charge against him; and accordingly he was not allowed to make any reply.

3. After the Church had refused to hear Br. Goss, and he had retired, it was suggested by some one, that his long absence from the communion of the Church was wrong, and was a fit subject for church discipline. Thereupon I immediately rose in my place, and stated that I hoped a course of discipline would now be commenced with Br. Goss *forthwith*. The pastor stated in reply, that there were cases, which, for certain reasons, ought to be delayed; and intimated that this was a case which ought to be deferred to a future time.

From these facts, you can judge as well as I, whether the intimation, which you said was thrown out during the session of the Council, was true or not.

Very respectfully, yours,

O. CARLTON.

REV. E. BEECHER, D. D.

No. 5.

LETTER OF MR. GOSS TO THE CHURCH.

SALEM, Sept. 14th, 1849.

TO THE TABERNACLE CHURCH.

Dear Brethren:—Deacon Perley and Brewster called on me last evening as a Committee of the Church to explain the circumstances in the case why you voted not to grant my request for a dismissal and letter to the Howard Street Church.

The first reason they gave was, That the course the Church had taken in regard to the Howard Street Church, in receiving her members was, that *the* Church is broken up, and therefore to be consistent with that course could not grant my request. The second was, That the Church apprehended that there might be ill feelings towards some members of the Church. Whether that apprehension was well grounded they knew not, except my long absence from the communion.

In reply to the first, I will inform the Church, that the brethren and sisters that remain at the Howard Street Church sought counsel and advice of sister

churches (with which you are in fellowship,) in their trials and difficulties, and have acted in accordance with that advice, and since then they have settled a pastor by Council of sister churches, to which you have and are accustomed to dismiss and receive members, and to which you also were invited. You cannot therefore expect me to surrender my rights and privileges to such a plea. I therefore renew my request.

To the second, I can only say I know of no unkind feeling to any member on my part; if there is, or has been, I wish their forgiveness as they would be forgiven. As for my long absence from the communion, my intention has long been known by a large part of the Church, and to the pastor for more than a year, and I have communed with the Howard Street Church regularly ever since,

From your brother in Christ,

EZEKIEL GOSS.

No. 6.

CERTIFICATE OF MR. HUMPHREY COOK.

I hereby certify that as clerk of Tabernacle Church I have furnished Br. Ezekiel Goss with copies of the following documents, viz.:

1. The report of the Church, Aug. 25, 1849.
2. The report of the Committee which was appointed to state to him the reasons why his request was not granted.
3. The resolutions adopted by the Church respecting Howard Street Church and the second vote declining to dismiss him, passed Sept. 28, 1849.
4. The reasons put on record for declining his request for a Mutual Council, and that these are all the record of proceedings in his case up to the 20th of Nov., 1849.

I also certify that on the 26th day of October, Mr. Goss desired an opportunity in Church meeting to make some communication to the Church, touching their objections to granting him a dismissal, which was refused by the pastor and Church, on the ground that so far as Howard Street Church was concerned, the action of the Church could not be changed, and, second, that the Church had no charges against him that demanded any communication from him. It was repeatedly said to him, we have nothing against you.

HUMPHREY COOK.

Salem, Dec. 26, 1849.

No. 7.

REQUEST OF MR. GOSS FOR A MUTUAL COUNCIL.

TO THE TABERNACLE CHURCH.

Dear Brethren:—I have repeatedly requested of you a dismissal and recommendation to the Howard Street Church in this city. My request has as often been refused. I do not now wish to present further reasons for my request, for I am assured by your pastor that there are no charges against me, and still my request cannot be granted. I therefore respectfully request that you will unite with me in calling a mutual council according to the usage of the Congregational Church, to consider and advise with reference to the following questions, viz.:

1st. Was I in good and regular standing as a member of the Tabernacle Church on the 25th of August, 1849?

2d. Has any thing taken place in reference to the question of my request for a dismission since that time that renders it improper that I should have a letter in the usual form?

3d. Is the standing of the Howard Street Church such that the Tabernacle Church ought not to recommend members to its communion?

I would propose that the Council should be composed of churches whose ministers have never been called to act in the case of the Howard Street Church during its last difficulties?

I will be ready to meet your Committee at any suitable time on a few hours' notice, for the purpose of selecting the Council and preparing the letters missive.

From your brother in Christ,

EZEKIEL GOSS.

Salem, Oct. 30th, 1849.

N. B. On account of business arrangements I would earnestly request that the Church would act on it on Friday evening next at the close of the preparatory lecture.

No. 9.

ACTION OF THE TABERNACLE CHURCH DECLINING A MUTUAL COUNCIL.

SALEM, Nov. 9, 1849.

At a meeting of the Tabernacle Church, Friday evening, the request of Br. Goss for a mutual council was acted upon, and the following *vote* was passed, viz.:

“Whereas our Br. Ezekiel Goss, has requested this church to unite with him calling a mutual council” to consider and advise with reference to the following questions, viz.:—

1st. Was I in good and regular standing as a member of the Tabernacle Church, on the 25th of August, 1849?

2d. Has any thing taken place in reference to the question of my request for a dismission, since that time, that renders it improper that I should have a letter in the usual form?

3d. Is the standing of Howard Street Church such, that the Tabernacle Church, ought not to recommend members to its communion?—

Therefore, voted, that the following answer be given to his request, viz.:

In regard to the first of the questions, which it is proposed to submit to a mutual council, the Church has not taken action in a judicial manner, and the hope has been cherished, and still is, that both the expediency and necessity of such action may be entirely precluded. If, however, the long absence of Br. Goss from the communion and meetings of the church previous to August 25 should ever be brought before the Church, in the regular process of discipline, the Church has no reason to anticipate any such difficulties in the case, as would give occasion, in the smallest degree, for the advice of a council.

Upon the second question, which it is proposed to submit to a mutual council,—the Church has taken no action whatever, neither has any been contemplated, so far as known to the Church. As, therefore, the subject matter of neither of these questions, has been adjudicated in the Church, nor even introduced into the church for the purpose of adjudication, there can be no

propriety in calling a mutual council in such circumstances "to consider and advise with reference" to them.

In relation to the third question, it is true that the Church has taken action, and such action as may be inferred from the language used in the letter to Br. Goss. The action of the church however, by which the dissolution of the Howard Street Church, May 4th, 1847, has been recognized, was taken with much carefulness and under a constraining sense of duty, to vindicate and support the fundamental principles and accredited usages of the Congregational order,—as affecting the independence of each church respectively, and the inalienable rights of majorities in each church. Until those who now profess to be the original Howard Street Church, as if no dissolution had ever been voted, shall take a different ground upon which they will urge their claims to recognition and fellowship as a sister church,—the Tabernacle Church cannot, with any consistency and propriety, acknowledge their title to such recognition and fellowship; so far as known to the Tabernacle Church, there is no existing occasion to submit its doings, in respect to this subject, to the revision of a council; neither is there any such occasion apprehended, in the changes of the future. While, therefore, the Church has none other than the kindest feelings towards Br. Goss, and there is not the least desire to prevent a removal of his relation of membership to some sister church, whenever it can be accomplished in an orderly and satisfactory manner, the request of our Br. Goss, that the Church should unite with him in calling a mutual council, must be declined.

HUMPHREY COOK, *Church Clerk.*

No. 9.

ACTION OF THE ESSEX SOUTH CONFERENCE OF CHURCHES.

In October of the year 1847, the Essex South Conference of Churches met at Swampscot. The Howard Street Church sent Brethren B. A. Gray and D. Brainard Brooks, as delegates, at the call of the names of the members they handed us their names as delegates. Objections were made to their having a seat by R. P. Waters, Esq., on the ground that there was no church there. Their claim was referred to a committee of five under the following vote:

"Voted, that a committee of five be appointed to consider the question pertaining to the relations to this conference of the brethren claiming to be the Howard Street Church, Salem. Messrs. Lawrence, Cooke, Field, Tolman, and Trask, of Beverly, were appointed the committee."

DANVERS, October 8, 1848.

Voted to hear the report of the Committee on the questions pertaining to the relations of the brethren claiming to be the Howard Street Church, to this conference.

REPORT.

Whereas, It is an admitted principle that in the action of Congregational churches laid down in the New Testament, and in the records and symbols of our churches, that majorities govern: and whereas we find no accredited precedents in the usages of the church to the contrary, and do not feel willing to institute one—Therefore, Resolved, That the claim of our brethren to be the late Howard Street Church, ought not to be allowed and is not allowed.

After a protracted discussion (from 9 A. M., to 4 P. M.,) of the subject, the Report of the Committee was adopted.

A true copy of the records, made by

M. H. WILDER.

RESULT OF COUNCIL ADVISING TO THE DISSOLUTION.

SALEM, April 14, 1847.

It appears that the pastor's request for a dismissal arises from embarrassments which have rendered, in a great degree, abortive his earnest and self-denying efforts for a course of years, and which embarrassments have now come to a crisis, so that we can do no less than accede to his request, and we hereby *declare his pastoral relation dissolved*.

We tenderly sympathize with the Rev. Mr. Mann, in his afflictions and disappointed hopes, and most cordially recommend him to the churches of Christ, as *sound in doctrine, earnest, able, and faithful in preaching; kind, amiable and acceptable in the relations of social life, and heartily devoted to the true ends of the ministry*. And we deem it due to him to say, that his failure of the desired success in extricating this church from its embarrassments should not be used in disparagement of his ministerial character in any respect.

And since the embarrassments which have so far frustrated his ministry still exist, without prospect of change, while the church retains its present organization, we would suggest the inquiry whether the best good of all concerned would not be consulted by a dissolution of that organization, and the members connect themselves with other churches in this city. A step so uncommon, we think, is made expedient by reasons as peculiar. It is not that we think that there is not ability and piety enough to sustain the enterprise in favoring circumstances. There are materials of great value in this church, but they stand in such relations as to hinder their efforts for good. Nor is it true that our denomination in this city have churches enough without this. The prospect rather appears to be, that if this is dissolved, a new one will soon take its place. We would, therefore, advise that the present organization, if it sees fit, vote a *dissolution*, and if the proprietors of the meeting-house see fit, close it awhile and wait for the movements of Providence. We feel persuaded that the time will soon come when the way will be made to open it under better auspices. A new organization formed for the purpose, would of course stand clear of most of the embarrassments of the present.

We deem it to be our duty in concluding this Result to call upon some of the individuals of the Church to reconsider the manner, in which they have treated their pastor, during the existence of the difficulties which have given occasion to the calling of this council. Saying nothing of those who have been in fault in other matters, there has been a disposition on the part of these, to push some favorite points to extremes;—a want of charitable construction on the pastor's motives and conduct in relation to points on which there existed a difference of opinion between him and them; and a deficiency of that kindness and courtesy which he had a right to claim as a Christian minister, and particularly as their pastor.

The Council hope that they will see their error, and that in whatever future ecclesiastical connection they may be placed, they will seek to be possessed of a spirit of wisdom, and of a sound mind, and will remember that *charity, kindness and forbearance* are as important parts of Christian character as zeal in suppressing the errors and vices of society.

E. A. LAWRENCE, *Scribe*.*PARSONS COOKE, *Moderator*

No. 11.

VOTE OF THE MAJORITY TO DISSOLVE.

Tuesday evening, May 4, 1847, Church met by adjournment.

Voted to choose R. P. Waters, Moderator, pro tem.

A. T. Brooks withdrew his motion for the previous question.

On the motion of indefinite postponement, Voted in the negative.

A. T. Brooks offered the following amendment to the main question, which was accepted by the mover, as follows, after "adopt," to read thus :

Voted to adopt the remainder of the Result of the council and by and with their advice, this organization is hereby dissolved—and that Deacons Smith, Foster and Driver, be a committee to grant letters of dismissions and recommendations under date of May 4, 1847, to all the remaining members of the church, to any Orthodox Congregational Church they may direct.

The yeas and nays being called for, the result was as follows :

YEAS—A. T. Brooks, Thomas Brooks, Amos Henfield, Aaron Smith, Jr., John Kimball, Wm. R. Warden, Joseph G. Porter, John H. Grush, Alexander McClay, Moses T. Upton, George B. Stedman, Gideon B. Monarch, Charles Goodrich, Elbridge Guilford, E. W. Fabins, Isaac P. Foster, R. P. Waters, —17.

NAYS—Daniel Millet, Joseph Hale, S. Driver, Benj. A. Gray, Thaddeus Osgood, D. B. Brooks, E. B. Osgood, Benj. Trask, Eben. Cleaveland, Wm. P. Fuller—10.

No. 12.

VOTE OF THE CHURCH UPON THE PASTOR'S REQUEST FOR
A MUTUAL COUNCIL.

Tuesday evening, April 6, 1847. A communication from the pastor requesting the church to unite with him in calling a mutual council to dissolve the pastoral relation being read, voted unaimously to comply with his request.

Voted to invite the Crombie Street Church, Salem, churches in Marblehead, Lynn, South and North Danvers, and Washington street church, Beverly, to meet in council at the vestry, on Wednesday, April 14th at 9 o'clock, A. M.

Voted to choose George H. Smith and Isaac P. Foster the committee of the church to draft, sign and send the letters missive, and also to appear before the council in behalf of the church.

No. 13.

PROCEEDINGS OF THE CHURCH SUBSEQUENT TO THE
VOTE TO DISSOLVE.

A meeting for business was held in the vestry on Tuesday evening, May 11th, 1847. The meeting was organized by the choice of Daniel Millet, moderator, and D. B. Brooks, clerk.

Voted, that we choose a clerk for the church, our former clerk having taken a letter of dismission to another church.

Voted, that E. B. Osgood be clerk.

Voted, to choose a committee to supply the pulpit.

Voted, that Joseph Hale, Benj. A. Gray and John P. Jewett be this committee.

Voted to choose a treasurer for the church, the former one having taken his dismission.

Voted, that Dea. Stephen Driver, Jr., be Treasurer.

Voted, that a committee be appointed to wait upon our former treasurer to request that the communion service be put into the hands of our present treasurer.

Voted, that Dea. Driver and Joseph Hale be this committee.

Voted, that the clerk be requested to call upon Dea. Foster, our former clerk, and request the records belonging to this church.

Voted, that an Ecclesiastical council be called to examine the doings of the last church meeting.

Voted, that the council be requested to meet on the 26th day of May 1847.

At a meeting of the church held May 17, the vote calling the council to meet on the 26th was reconsidered, and it was voted to fix the time to the 28th of May.

The following is a copy of the letter missive :

Rev. and Beloved:—Whereas for a year past difficulties have existed in this church which have resulted in the calling of two Ecclesiastical councils the second of which dissolves the relation of the pastoral connection with the church and society, and also recommended that the church take into consideration the expediency of disbanding its organization,—The result of the council having been read to the church, the former part, which dismissed the pastor, was unanimously accepted; a motion was then made to adopt the closing part of the result, and by its adoption to consider the church disbanded. This was strenuously opposed by a large minority of the members present, and various arguments were presented for the consideration of the church, tending to prove the impossibility of thus disbanding a church of Christ without a unanimous vote. But notwithstanding all the protestations of the minority, the vote was passed, seventeen voting in the affirmative, and ten in the negative, three of those voting in the affirmative at previous meetings of the church, having been dismissed to sister churches, yet they still persisted in voting on the question, though protests were made against it. Several members, five at least, would have been present to have voted with the minority, had not Providence prevented. Under these circumstances the vote was passed and a committee of three persons was chosen (two of whom had been dismissed at their request from the church) to give letters of dismission and recommendation to all the members—whether they asked for them or not. This is a brief statement of facts in the case. We are deeply grieved, and placed by this vote of the church in peculiar circumstances of trial and affliction, and need judicious Christian advice in the matter, and therefore ask you to meet in council, by your pastor and delegate, at the vestry of the Howard Street Church, on Friday, May 28th, at 10 o'clock, A. M., and review these proceedings, and adjudicate thereon.

NOTE. On the day appointed for the meeting of the council, Friday May 28th, it was decided that as the number present was not sufficient for a quorum, the time of meeting be postponed to Tuesday, June 15th.

At the above meeting Dr. Perry was Moderator.

No. 14.

PROCEEDINGS OF THE COUNCIL TO WHICH THE QUESTION
OF ACTUAL DISSOLUTION WAS SUBMITTED.

A copy of the Result of the Council, Salem, June 15th, 1847

An Ecclesiastical Council convened at the vestry of the Howard Street

Church, pursuant to letters missive from the Howard Street Church, for the purpose of giving advice in regard to certain proceedings purporting to be a dissolution of said church against the wishes of a minority.

The Rev. Gardner B. Perry was chosen Moderator, and Joshua Leavitt, Scribe.

The churches present were as follows :

Salem Church, Boston—Br. David Pulsifer, delegate.

East Bradford Church—Rev. G. B. Perry, D. D., pastor ; Dea. Ira Hopkinson, delegate.

Second Evangelical Congregational Church, Cambridgeport—Rev. Joseph C. Lovejoy, pastor ; Rev. Joshua Leavitt, delegate.

Hopkinton Church—Dea. Samuel Morse, delegate.

East Abington Church—Rev. H. D. Walker, pastor ; Dea. Elijah Shaw, delegate.

Free Church, Andover—Rev. E. C. Winchester, pastor ; Br. John Smith, delegate.

Third Church, Danvers—Rev. Richard Tolman, pastor ; Dea. Frederick Howe, delegate.

Prayer was offered by the Moderator.

The committee who had issued letters missive presented the record of proceedings had subsequent to the vote of dissolution passed by the church.

The records of the church prior to the vote of dissolution were read by Mr. Foster, the late clerk, in whose hands they remain.

The committee were fully heard on the subject of the dissolution of the church ; and then several of those who had voted with the majority were heard at length. The people then retired.

Voted, That the members of the council be called upon to express their views individually on the case as it stands before the council.

The members were nearly unanimous in the opinion that it is not competent for a church to dissolve itself by the vote of a majority, depriving individuals of their covenant rights and privileges without their consent. We are of opinion, therefore, that this church is not disbanded, and those members that remain ought to sustain the rights and responsibilities of the church. And they should humble themselves before God, and confess their faults one to another, and pray one for another, until they come to be of one mind, so that the Spirit may come down upon them from on high as in times past. Thus may the Howard Street Church be maintained to the honor of religion and the salvation of many souls.

Voted, *unanimously*, That the above be accepted as the result of this council.

(Signed.)

JOSHUA LEAVITT, *Scribe*.

NOTE. The Rev. Mr. Tolman, of Danvers, was the member alluded to above as at first dissenting. He told a brother in the church the same afternoon in returning home from the council, that previous to the discussions of the council in private session he was of the opinion that a majority vote could disband a church, but after hearing the discussion of the question by the members, he gave in and voted with them.

At a meeting of the church held in the vestry on Wednesday evening, June 16th, after the result of council was read to the church, it was

Voted, That the report of the council be accepted and recorded in the records of the church, and also be published.

No. 15.

CHURCHES COMPOSING THE INSTALLING COUNCIL.

The following is a list of the churches represented in the council at the installation of Rev. M. H. Wilder, as pastor of the Howard Street Church

and Society, July 10th, 1849.

Third Congregational Church, Salem—Rev. Dr. Emerson, pastor.

Church in East Bradford—Rev. Dr. Perry, pastor; Dea. Ira Hopkinson, delegate.

First Church in Braintree—Rev. Dr. Storrs, pastor; Br. John Wild, delegate.

South Church, Ipswich—Rev. Mr. Fitz, pastor; Josiah Kimball, delegate.

Second Evangelical Congregational Church, Cambridgeport—Rev. J. C. Lovejoy, pastor; Alfred H. Orcutt, delegate.

Park Street Church, Boston—Rev. A. L. Stone, pastor; Dea. Edwin Lamson, delegate.

Third Congregational Church, Danvers—Rev. James Fletcher, pastor; Br. Nathan Tapley, delegate.

Dane Street Church, Beverly—Br. Israel Trask, delegate.

First Congregational Church, Manchester—Br. Henry Kitfield, delegate.

Bethesda Church, Reading—Br. David Emerson, delegate.

Church in Hopkinton—Rev. J. C. Webster, pastor; Br. S. D. Davenport, delegate.

Church in West Medway—Rev. Dr. Ide.

No. 16.

LETTER OF DR. OSGOOD.

SPRINGFIELD, Dec. 18, 1849.

Dear Brother:—I received your kind letter of the 10th, and I sincerely regret that it is *impracticable* for me to be present at the adjourned council. It would give me great pleasure to meet so noble a *Phalanx* of Congregational brethren, as are on that council. I wrote to Mr. Goss at first, stating the inconvenience under which I should labor, and desired him to make my excuse to the brethren, intimating at the same time, that I would have consented, but for the fact that they had a *very large* and efficient council without me. I never have declined a clear course of duty, and would not in the present instance, but I have made such arrangements that I cannot be with you without making a sacrifice which I do not deem to be necessary. My counsel is not needed to strengthen any position, which I presume this large and respectable and clear-sighted body would probably assume. I fully agree with you, that no church should be crushed, which can sustain the ministry. A minority have ecclesiastical rights as a majority. If they desire to keep their organization, why should they be compelled, by stronger bodies, to abandon it? I recollect the case of the church in Kingston, N. H., under the venerable Dr. Thayer, in which I think there was but one male member and about twelve females; and when the sacrament was to be administered, in one instance, at least, a deacon of a sister church was invited to officiate. That church lived, and soon after the death of the good pastor, the seed he had planted for half a century or less, sprung up in a glorious revival. I do not understand *why* the sister churches wish to cast this church out of the family of our Lord. I have full confidence in that promise, "if any man lack wisdom, let him ask it of God," &c. I feel that the great Head of the church will be with his ministers, will lead them into all truth, and make their decision, whatever it shall be, the means of promoting the glory of his name, and the good of his kingdom.

Present my affectionate regards to the brethren, and accept the assurance of my confidence in yourself and all connected with you.

SAMUEL OSGOOD.

REV. DR. E. BEECHER.

NOTICE OF THE "REVIEW."

Since the publication of this Result of Council, a review of 140 pp. has appeared by the authority of "Members of Essex South Conference."* So far as it refers to the doings and arguments of the council, they are abundantly able to take care of themselves.

The facts respecting the case of Mr. Goss, cannot be so perverted as to injure his Christian character with those who know him; and it will require something more than a new edition of church records, "*amended* and improved," to convince those who read the ponderous pamphlet, that he was not entitled to a dismissal with the ordinary testimonials, to the Howard Street Church. And very few will be misled by any statement from any dignitary of the church, who would on the 19th of April 1850, with his eyes open, ask a church to adopt an amendment to their record of Sept. 28th, 1849, so as virtually, to make them responsible for the action of a committee, when it was in undisputed testimony, by members of his own church, that one month later, i. e. October, 26th 1849, he said respecting that same report that it was accepted and not adopted; and therefore it was but the action of individuals; and not the action of the church, and as a reason why Mr. Goss should not make a statement respecting things charged against him in that report; at the same time saying repeatedly, the church have nothing against you Mr. Goss. If the report was adopted as the amended record would have us believe, then it was not true that the church had nothing against Mr. Goss, and yet the pastor says, "we have neither charge nor charges against you;"—and this is said to prevent Mr. G. from making a written statement in which are found the words: "If any are grieved with any of my wrong doings, I humbly ask them to forgive, and when I am sensible of what the wrong is, I will endeavor to make all suitable reparation." Such a course, reveals a spirit and disposition that is not likely to injure any man's reputation, in the eyes of open hearted, honorable men.

And if Howard Street Church—under three years of abuse and contempt, of which the parts of this book that relate to its history, are a fair sample; has sustained its means of grace as regularly and with less outstanding debts than in former years, and with comparatively trifling assistance from abroad; and if the churches generally, notwithstanding all that has been done, cordially sympathize with its pastor,† and under his ministry the stated worshippers have increased, until the average congregations are as large as for many years previous to the attempted dissolution, and as it is often said by members of the other societies, "it has the confidence of the community to a greater extent than at any former time;" and if, as we suppose to be the fact, it has had as many additions by profession, and as many hopeful conversions, as either of the other orthodox churches in Salem; then surely we need

*Perhaps there are some members of the Essex South Conference who would have been better pleased if the authors of this review, had taken its responsibility more nearly to themselves. It is possible that four, out of twenty-four members, would be willing to append their names to the document as a whole; but not probable.

† Always excepting those who are committed against it, and the number is not very great.

not fear the influence of this document. Those in Salem or elsewhere, who know the facts, "can but look upon it as proof conclusive of absolute presumption and infatuation."*

There are however, some things that are so entirely at variance with facts, that we cannot let them pass unnoticed. One is the attempt to accuse the present proprietors of the Howard Street Church of dishonesty. The Howard Street Meeting-house was built in 1804, and its proprietors incorporated by a special act. The title to the house and land is vested in the pew-holders. Each, by his deed is entitled "to the pew, with the proportion of land thereunto adjoining and belonging." The proprietors at their annual meeting, elect a standing committee to do the joint business of the society, i. e. to carry out the ends for which the house was built. The proprietors are authorized to appraise the pews according to their relative value, and the standing committee may levy a tax as authorized by the proprietors for the support of a minister, with all incidental charges and expenses; and if any owner of a pew neglect or refuse to pay his tax for one year, the proprietors may cause it to be sold for the tax. The taxes have been levied on all the pews in the house, except such as have been exempted for special reasons; and these may be rented by the committee for the benefit of the object for which the house was built. More than thirty years ago the sum of \$12,231 was apportioned among the present pews in the lower part of the house, as the basis of taxation, at from \$59 to \$185 each, and 12 per cent. was ordered to be levied on: that valuation which tax has been continued till the present time, for the support of the minister and incidental expenses; and from that time when the owners have refused or neglected to pay their tax, their pews have been sold according to law. The average price of pews for the last thirty years has not exceeded \$25, and the income of this sum can by no possible contingency be put into the pockets of its owners. The man who invests \$25 for a pew in any of our churches incorporated as this is, is compelled to pay a tax annually of from \$12 to \$22, or forfeit his pew. What then becomes of his residuary interest in the house?

The conduct of this same majority will illustrate the case. In 1832, when by influences in which they participated, the church was well nigh destroyed, and 140 of its members out of less than 200, abandoned the enterprise; we find the same principles involved and the same course pursued to which they now object. There were debts in both cases which the Howard Street Society were holden to pay. Those who would remain and carry forward the work of the organization, must pay them in both cases.

It is said that those who went away sold those who remained their share of the property, as an equivalent for the payment of the debts. The error of this statement is seen in two ways. In all cases where men abandon such

* These statements are so unfair and one sided, that what is not untrue, is calculated to leave wrong impressions, and do us an incalculable injury. We do not feel inclined to expose the wickedness of those who profess to be Christians, but, as such confident appeal is made to the comparison of character where both parties are known, we cannot forbear saying, that of the ten who opposed the vote to dissolve, there is not one whose christian character has not to this day been without just cause of reproach. They are all now in good standing, and may safely challenge an investigation of character, in comparison with the authors themselves. It is not so with the seventeen who voted to dissolve; four at least are not now in church fellowship, and with the remainder respectable as they are, the ten need not be ashamed of a comparison when tried by any standard except the assessors valuation. And even here, they are not in such abject poverty as the review would have the world believe. The truth is, that with very trifling assistance from without, they have for the last three years, i. e. since the vote to dissolve, kept the pulpit supplied, and paid for it; and the church have never been so prompt in meeting current expenses for twenty years as during this time; and yet they are poor, and need the prayers and assistance of the wise and the good.

property, they are no longer holden for the debts for which the property is liable, any agreement of the kind then is without any object:—and then, an examination of the treasurer's books will show that while eight owners of pews gave up their deeds, as honorable men would be disposed to do, in order that the burdens of the few might not be increased; forty-five of the owners of pews at that time let their taxes remain unpaid, and within one year from the time they left, their pews were sold, and bought in by the society.

The following statement, carefully made out from the treasurer's books will show the state of the property rights of the corporation. In January, 1847, there were 29 legal voters in the society. Connected with the seventeen who voted in the church for the dissolution, and in favor of that vote, were fourteen voters, holding thirteen taxable pews, and thirteen not subject to tax; their taxes at 12 per cent. on the taxable pews was \$245.48 and the appraised value of all these pews was \$3304.

Connected with the ten who voted against the dissolution and opposed to it, were fifteen voters with fourteen taxable pews, twelve not subject to tax. taxes at 12 per cent, \$236.68—and the whole appraised value of these pews \$3414. They were a majority in number, paid nearly as much taxes and owned more property in the house, than those who voted with the majority in the church.*

There were absentees who held five pews, and on the 28th of May, after the vote to dissolve, eight pews were sold, not subject to tax—leaving thirty pews on the floor and forty-five in the gallery unsold, and belonging to the society for the support of the gospel, as the proper representative of more than \$3900 subscribed and paid in voluntary donations to that society for its general objects at different times. Do thirteen voters, with twenty-six pews, costing them not more in the aggregate than 650 or \$700, expect to oust fifteen voters, with the same number of pews, at as great a cost as theirs, and get a pro-rata share, of a house now worth 8 or \$9000, thus constituted, a trust fund for the support of the gospel!—and does the author of that review call this honesty?

Before, and in anticipation of, the annual proprietor's meeting of April 1847, the minority of the whole number of legal voters sold of their pews to men, such as they could find, who were willing to lend a hand in the very creditable work which they had agreed upon, and they came to the meeting with a triumphant majority, elected their officers, voted to close the meeting-house; and in that dynasty it was that the bell, organ and furniture were sold, and effort was made to sell the house; and all, while the veritable Howard Street Church was worshipping there. But how come they there? In June two months after the factitious majority had closed the house, and after a regular council had advised them that they were the church and that they ought to sustain its rights and responsibilities, the outwitted minority sought the best legal advice, obtained possession of the house according to law and equity, and lawfully supplied the pulpit; and to this day, they have sustained the worship of God in their house, according to its original design: and notwithstanding what the review says of the poverty and inefficiency of the present organization, (which is most notoriously untrue,) it has done as much of church work the past year as in any former year of its existence, and never were there less deficiencies in their current expenses, than for the last three years.

In April 1848, by legal advice, we sold pews; mostly to permanent members, and at the annual meeting we had a clear majority, chose our

*This \$482 taxes, was by no means the usual income of the society. Besides this there was what was paid for rent by stated worshippers, who were not proprietors; and the subscriptions of those who were able to pay more than their taxes and rent.

officers, and in due time the committee sued the former committee for the property in their hands, part of which, the avails of the bell, &c., had been in their hands more than six months, and they had not paid it over according to their own vote. After a year's delay, rather than defend the case they paid over the money in their hands, for the payment of debts for which we were responsible. The plate and church records, or a part of them were recovered by writ of replevin, and after a year and a half postponement by the defendants, the suit was dropped without cost to us. It is not true then that we hold it under bond; we are in possession without contest. And there is now, as little probability of any one of the former proprietors of this house, undertaking to recover any portion of the voluntary subscriptions for the debts or repairs of the house, as that the author of this review will undertake to disband the American Board of Foreign Missions, in order, by a division of its property among its corporate members, to get back donations made by his father a half century ago.* The author might well say in view of an attempt to wrest donations and subscriptions made indiscriminately by members and friends, to sustain and perpetuate the Howard Street Church, and make it the private property of men who had never paid for their deeds of property in the house more than one-third or one-fifth of its real value!—"That he should as soon have expected an open vindication of embezzlement or burglary."—See Review, p. 123

The Review says that, "The minority at the time of the vote to dissolve, took it for granted, as was right, that if such a vote should pass, there was to be of course an end of the organization known as the Howard Street Church! They certainly spoke and acted as if this was to be the inevitable and unalterable effect of such a vote. It was an afterthought that led to the claim, which they have since urged so vehemently." Now this may all be very good rhetoric, but it lacks the essential element to inspire confidence in its author. It happens to be all false; absolutely, in every particular false. The simple truth is, that the majority were told all along that they could not dissolve a church in that way; and that they, the minority, should not pay any attention to such a vote, and immediately on the vote being declared, one of the minority arose and in a clear voice said—"There will be a meeting of the church next Tuesday evening for business as usual." That meeting was held and the regular Tuesday evening meetings have never since been omitted, and Sabbath worship has also been continued from that time. "*Sober-minded men of mature age in writing for the churches, should aim to write the truth in simplicity, as well as godly sincerity.*"—(See Review, p. 128.) To this we most heartily respond.

The Review says "There has never been a time when a minister has been, or could be supported, by a tax on the pews in the house of worship in Howard Street, as has been done in other congregations in Salem. The society there, was far the strongest and most flourishing, during the ministry of Rev. Mr. Williams, and just before the secession in 1832; but his moderate salary could never be obtained promptly." Facts taken from the collector's books for 1831, in the hand-writing of the late J. S. Williams Esq., show that there were at this time 60 proprietors, paying taxes on 55 pews—amount of taxes \$960,—or \$60 more than the whole salary. In ad-

*Much is said of the \$3000 laid out in repairs, just before the pretended dissolution. \$1000 of this was left for the present occupants to pay, and the remainder was a voluntary subscription to pay the debts of the house, and repair it for the public good; not one of the contributors ever thought of receiving back his subscription: they did not lay the society under any obligations to refund it, and might just as well now ask the American Board to restore to them their donations for the last twenty years, as to demand that the present Howard Street Society, should pay back their subscriptions.

dition to this, the income of half pews and seats, rented to persons not proprietors, was \$240, making the income of the society from the pews alone, \$1,200. We insert this, as a specimen of the reviewer's facts; without comment.

In reply to the low insinuations respecting the poverty of Howard Street Church, we can say to the worthy pastor who penned it: that Howard Street Society has never been more dependant upon the private munificence of one man to save their house of worship, than *another* Society that might be named; nor so mean as when that one has been so unfortunate as to be unable to pay his taxes, to sell the last pew from under him and leave him to seek refuge in another church, or be reminded of his misfortunate by occupying by invitation, another man's pew. Though poor they are free men, and while the Howard Street house of worship is in their hands, as a sacred trust for the support of orthodox congregational preaching; the history of the past is a sufficient guaranty that that property will not be perverted by selling it to Romanists, or applying it to private use. The Howard Street Church have learned that the Lord is their heritage, and that it is better to put their trust in Him, than in riches. They feel confident that while they honor God, He will sustain and bless them. It is not the first time that a poor feeble band have been despised, in order that the power of God might be magnified. It was the enemies of God that said, What do these feeble Jews? but after all they had a power that their enemies could not appreciate—the power of faith.

There are many other statements in the book, that are of the same character with the above, but we have neither room nor disposition to say all that might be said; our desire is to be permitted to do our work, without interruption. These few pages have been written, not because we delight in controversy, but simply to show that we are the legitimate, rightful, owners of the name and property, of the Howard Street Society; and that the public may see that the Review in question, does not give a correct representation of the facts of the case. In conclusion, we would say to those members of Conference, who are so conscientiously pressed to show that we are not worthy of public confidence, that their labor is in vain. If our work is not of God, it will come to nought without their aid, and if it is of God, they cannot overthrow it.

At an adjourned meeting of the Proprietors of Howard Street Church, the foregoing statement of facts was approved and ordered to be printed with the 2d Edition of the Result of Council.

D. B. BROOKS, *Proprietors' Clerk.*

TO "MEMBERS OF ESSEX SOUTH CONFERENCE."

BRETHREN:

As you have taken extra pains to append to your Review, an article from the Independent signed by Rev. Joel Mann, with your full endorsement and high commendation; it may be expected that I should give it some attention: and having a blank page, the printers have consented to stop the press and fill it.

While my name stood in contrast with Mr. Mann's alone, I had nothing to gain by any notice of his article; but, since you have made it your own, I have to say, that it is in perfect consistency with those portions of the Review noticed above, by the Proprietors of the Howard Street Church. He first gives some incidents of history, which seem to have been intended to invali-

date my statements, when in fact, they occurred before mine commenced ; and the men whom he calls the truly excellent and money-paying members, were the same, who previous to June 1846, "reduced his salary from nine to six hundred dollars," for the purpose, as was then supposed, of inducing him to ask a dismissal. They were the same who in 1846 were Mr. Mann's defenders as described in my article. (See Independent of April 18th.)

He denies that the Council of Feb. 1847 voted to advise his dismissal. I have the written testimony of an eye witness, who was a member of that council, that they did thus vote, and that a result was prepared by their committee in accordance with that vote. At an adjourned meeting the report of this Committee was laid aside by a vote of 7 to 6, 5 not voting.

With reference to the meeting at his house, inasmuch as he denies that it was held there, I shall not contradict him. The meeting however was held; but whether at his house or another, or whether to discuss Dr. Cooke's proposition for dissolving the church or some collateral point, is of little consequence ; it gave occasion for one who was present to say, you cannot break up a church in that way.

No one ever supposed, that the idea of dissolving the church originated with Mr. Mann ; but that he did not desire it, or do anything to accomplish it, must sound very strange to those with whom he conversed on the subject, previous to the meeting of the council of April 1847.

What he says respecting the identity of the two Councils of February and April 1847, is not a new idea ; the same thoughts have appeared in other directions during this controversy. Perhaps our Supreme Court would do well to reduce the idea to form, and adopt it as one of their rules ; it might secure the ends of justice, with a great saving of time and expense. If through some legal technicality, a new trial should be awarded to Dr. Webster, the court, on motion of the prosecutor, might direct the sheriff, to select six of the former jury, who were the most decided on the previous trial, and perhaps they too could find a new verdict in less than four hours : and if the prisoner should complain that the jury was ex parte, and that the case was not in any proper sense before them, it might be said as in this case.—The jury was called by the sheriff, by order of the court ; not three months since the same jurymen spent many days in patient, careful, exhausting examinations of the whole matter !!! "But this is in 'perfect' keeping with much that has been said relative to those discreditable difficulties."

The unamiabable spirit and hard words, will do more injury to the author of that communication than to

Your most obedient servant,

THE PASTOR OF THE HOWARD STREET CHURCH



