

555

Presbyterian Church,

Athens, April 23. 1833.

Agreeably to a regular citation a pro. re. nata. presbytery met on this day for the purpose of appointing a Commissioner or Commissioners to the next General Assembly, and to receive under our care any candidate for the ministry who may present himself.

The meeting was opened with a sermon by the Rev. Mr Hoyt with ~~an exhortation~~ from 1. Kings, 22:14 by request of the Moderator.

Members present A. Church D. D. Nathan Hoyt and John S. Wilson and Elder M. W. Dobbins from the Church in Athens. Constituted with prayer. Elder M. W. Dobbins was appointed temporary Clerk.

In compliance with the object expressed in the circular calling the present meeting it was resolved that the Presbytery proceed forth with to appoint a Commissioner to the General Assembly:

Whereupon Col. Joseph Henry Lumpkin was unanimously chosen, and it was ordered that a commission be prepared accordingly.

Mr. James H. Saye, a member of the Presbyterian Church

in Athens, and a student in Franklin College presented himself before presbytery, and requested to be taken under our care as a candidate for the gospel ministry. He having been examined as to his acquaintance with experimental acquaintance with religion and the motives which induced him to desire the office of the ministry: and the presbytery having sustained said examination as a part of trial preparatory to licensure: he was received under our care. Presbytery assigned Mr. Saye the 10 first Chapters of the Confession of Faith to prepare for examination at our semi-annual meeting. Adjourned. Concluded with prayer.

John S. Wilson, Mod^r

Mr. W. Dobbins, Temporary Clerk.

John S. Wilson Stated Clerk.

Presbyterian Lecture Room.

Augusta June 28. 1833.

The Presbytery of Hopewell convened at 10 O'clock A. M.

Present John Brown D. D. Henry Reid, William Moderwet

William Quillin. S. H. Talmage, Elder William J. Hobby

of the Presbyterian Church, Augusta.

In the absence of the Moderator, Dr Brown was called to the chair, and Mr Salmage appointed temporary clerk.

The following circular was read:

"Lawrenceville 5th June 1833."

"Dear Bro. I have been constitutionally required to convene
 "the Presbytery of Hopewell in the Lecture Room of the Presbyterian
 "Church, Augusta, on Friday the 28th Instant at 10 O'clock, A. M.
 "to investigate the case of the Rev. Mr. Moderwell who is represent
 "ed to be seperated from his wife to the great injury of the cause
 "of Christ. You will therefore fail, not, if possible, to attend, Yours

John S. Wilson, Moderator,
 of Hopewell Presbytery."

The following statement was presented in writing by H. Reid
 "The Rev. William Moderwel a Member of this Presbytery is
 "living in a state of seperation from his wife, and has been
 "for more than three months to the great injury of the cause of
 "Christ. Therefore, I hope the Presbytery will enter upon the in
 "vestigation of the subject, so that the Church may be freed
 "from the scandal which has fallen upon it. 28 June 1833. H. Reid."

After a serious and prayerful consideration of this case, it was resolved that the Presbytery take it up at their semi-annual sessions at Athens, August next, for adjudication - and whereas Mr. Modershel waives the privilege of naming his witnesses now, and also waives the privilege of objecting then to any witnesses that may be brought forward by the Prosecutor in consequence of not being served with a copy of their names ten days before the meeting of the Judicature; it is therefore understood ~~it~~ agreed upon, that both the Prosecutor, & the accused may bring forwards any witnesses they may think proper, but the accused claims the privilege of objecting to witnesses on their testimony on any other constitutional grounds.

The Presbytery then adjourned.

John Brown, Mod^r.

Sam^l K. Valmage, Clerk, pro. Tem.

Attest John S. Wilson,

Stated Clerk.

Examined and approved by Synod

Augusta Dec 6th 1834

Nathan Hoyt

Moderator

Athens, August 9th 1833.

88th session.

The Presbytery of Hopewell held its semiannual meeting pursuant to adjournment, & was opened with a sermon by the Moderator from 2nd Corinth. 5. 10, 11. "For we must all appear before the judgment seat of Christ, that every man may receive the things done in his body, according to that he hath done, whether it be good or bad - Knowing therefore the terrors of the Lord we persuade men". Con-
stituted with prayer -

Members present,

Ministers.

Elders

James Gamble

James Wilson

Henry Reid

James Jackson

Nathan Hoyt

David Henderson

R. Chamberlain

David King

John G. Wilson
 Saml K. Tatnager
 William Modenwel
 Henry Safford
 Monzo Church, D.D.
 James C. Patterson
 Edwin Holt
 Arthur M. Mooney
 William Quillin
 John Harrison
 Saml J. Casels
 Hamden C. Carter

William Hodge
 James Lemmon
 Richard Sarge
 John McWhorter
 J. Holliday
 Dr Pond
 E. A. Nesbet
 Zach. Williams
 John Cunningham
 John King
 Saml Baldwin
 John Reed
 Charles C. Mills
 Alexander Herman
 Richard J. Marks
 William Turk
 William Montgomery
 Thomas Tappan
 Elijah Reeder
 A. Wingfield

Ministers absent — John Brown, D. D. Edward Pharr, Joseph G. Alexander, William B. Richards, Thomas F. Scott, C. P. Beman, William K. Patton.

Presbytery had a recess till half past 2 O'clock, P. M.

Half past 2 O'clock P. M. Presbytery met, & proceeded to ~~the~~ election of a Moderator & Clerk pro tem. The Rev Edwin Holt was elected moderator & Saml. Caspels Temporary Clerk.

The minutes of the last meeting were read & confirmed.

Members absent from the last meeting of presbytery severally rendered satisfactory reasons for such absence —

The case of Mr E. J. Hopping a licentiate of this presbytery was taken up. The Stated Clerk reported that he had made the communication to Mr Hopping required by a resolution of last presbytery, calling upon Mr Hopping to show cause of any, why his license should not be recalled. It appeared that Mr Hopping had for a number of years ceased to preach the gospel & with his own desire the presbytery resolved that the license of Mr Hopping be recalled, & he be considered no longer a licentiate under our care —

The subject in relation to the tract of Dr Goulding, on the Subjects & Mode of Baptism, heretofore prepared & published by request of the Presbytery was taken up & the consideration of it referred

to a committee consisting of Mess^{rs} Chamberlain, Patterson & Wilson.

The parts of trial assigned to Mr Samuel Hughes at the last meeting of presbytery were at his own request postponed till our annual sessions-

The subject of Foreign Missions being under consideration, was referred to the committee of separate consisting of Mess^{rs} Cham-berlain, Talmage & Caspels to report as soon as practicable- Members appointed to attend three & four days meetings re-ported that these meetings had been held.

It was resolved pursuant to a request from the Churches of Mount Olivet & Bethel that the ordination of the Licentiate Wm W Reid, as an evangelist take place in Bethel Church on the Saturday preceding the first sabbath in December next: & that Rom. 6. 23. be assigned him as the subject of a sermon to be delivered previous to ordination. Mr Caspels to preach the ordination sermon & Mr Floyt to give the charge-

A request was received by the hand of Mr Floyt from our licentiate J. W. Dwight desiring ordination, which was laid on the table-

Messrs Hoyt, Jos Jackson & John Cunningham were appointed a committee to arrange matters in reference to preaching during the present meeting of presbytery -

The Presbytery resolved to hold its annual meeting in Millidgeville on Thursday before the first sabbath in April 1834 at 11 o'clock A.M.

The Rev Mr Talmage the commissioner to the last Genl Assembly being called on, made a report relative to the proceedings of that body which report was accepted -

Presbytery adjourned to meet at the call of the Chair -

Concluded with prayer -

Athens, Saturday, Aug. 10. 1833 - 11 o'clock, A.M.

Presbytery met & was constituted with prayer. The roll was called & the minutes of the last meeting read - Robert McAlpin & John Baker ministers appeared & gave reasons for not attending earlier & took their seats, P. J. Marks from Columbus, William Tuck from New Lebanon, William Montgomery from Phytarus & T. Tuggle from Monticello, ruling Elders appeared & took seats as members - It was resolved that the Rev. H. Reed be appointed as the alternate of Mr Hoyt in the ordination of John W. Reed -

The examination of James H. Gage on the first ten Chapters of the Confession of Faith, was sustained as a part of trial previous to licensure, & the ballance of the Confession of Faith was assigned him as further parts of trials for licensure—

Mr Ric^d J. Marks a member of the Church of Columbus & Mr James W. Freeman a member of the church of Athens were introduced to Presbytery as desiring to be taken under their care with a view of preparing for the work of the gospel ministry. They were examined on experimental religion & the motives inducing them to seek the office of the ministry which examinations were sustained— The first ten Chapters of the Confession of Faith were assigned each of the candidates to prepare for examination; & to Mr Freeman "An humana voluntas libera sit?" the theme of exegesis—

A letter was received from the Church of Farrow requesting that in case the Presbytery should be divided, they may have the privilege of remaining attached to Hopewell, which was laid on the table for the present—

Resolved that the trial of Brother Modewell be the order

of the day for half past two o'clock this afternoon-

Thos F. Scott & Y. J. Capels, ministers, principals, & H. C. Carter, & J. C. Patterson, alternates, & Jas. H. Lumphreys & Jas. McDowell principals, & Levi Wilkard & Wm Searing, Alternates were nominated commissioners to the next General Assembly -

Presbytery had a recess to meet at half past 2 o'clock, P. M.

Athens, August 10th 1833 - half past 2 o'clock, P. M.

The Presbytery met - The rolls were called, & the order of the day (Mr Moderwells case) taken up - Before entering upon the investigation of the case, the divine direction & guidance was sought by prayer. The charge preferred against Mr Moderwell, at the session of the pre-revoluta Presbytery in Augusta in June last by the Prosecutor Mr H. Reid was then read; which charge is in the words following, viz: "The Rev. William Moderwell a member of this presbytery is living in a state of separation from his wife, & has been for more than three months to the great injury of the cause of Christ." The question was then put by the Moderator to Mr Moderwell, "Are you guilty of the charge or not? To which Mr Moderwell replied; That the charge was too vague to be answered.

that it contained nothing specific - that if it only meant that a state of separation existed between him & Mr. Moderswell, it was true. But if it meant that he (Mr. M.) had separated from his wife it was false - A motion was then made that the Prosecutor make the charge more specific, which was lost - It was then stated by Mr. Moderswell that he had some papers in his hands & a correspondence which would exculpate himself from blame, that no further proceedings would be necessary. On motion it was resolved that this exculpatory evidence be heard. Mr. M. then read such papers & correspondence in the hearing of the presbytery, & submitted such explanatory remarks as he thought necessary -

Mr. Reid the Prosecutor was then directed to call testimony to substantiate the charges against Mr. Moderswell - Whereupon Charles J. Jenkins Esq. was called in & solemnly adjured to testify touching the matter now in question - Presbytery proceeded to receive & record the testimony of Mr. Jenkins which is as follows, viz: By Mr. H. Reid the Prosecutor

1st Question. Can you relate a conversation which took place in the City Hall, Augusta, in January last between

yourself + Mr Modenwell?

Answer - On the third or fourth week in January last, during the sitting of the Superior Court, I had such conversation with Mr Modenwell, when he stated he desired to see me & requested me to ask Col. McKenne to retire from the trusteeship - to see Mr Modenwell & get her consent on the subject - Mr M. impugned the conduct of Col & Mrs McKenne - said McKenne must be removed, or serious issues would take place, v. r. separations from his (Mr M's) wife - I said Col. McKenne was willing to resign - He replied that it must take place or he must separate from his wife - I asked him if he wished to separate? stating that the questions originated with myself - He replied - Only as an alternative - I mentioned that I would inform Col McKenne & Mrs Modenwell of his wishes - also that he states that he had requested Col. McKenne to resign, which he had not done -

2nd Question. Had you any other conversation with Mr Modenwell on the subject?

Answer. On informing Col. McKenne, he said if Mrs Modenwell would consent he would be willing - On informing Mr Modenwell, he still said a new Trustee must be appointed. (Here the following

correspondence was read - Augusta, 30th January, 1833 - Sir - In com-
 -pliance with your request I this evening had an interview
 with Col. McKenne, & Mrs Modicwel. Col. McK. very promptly
 replied to my interrogatory, whether he would resign his
 trusteeship, that understanding it to be your wish, he would
 cheerfully do so, provided Mrs Modicwel should acquiesce.
 I then stated to Mrs Modicwel that you had requested
 me to enquire of her whether she would acquiesce in the
 resignation of Col. McK. & the appointment in his stead of
 Andrew J. Miller Esq.^r as trustee. I also stated to her that
 on the same interview you had expressed your determina-
 -tion, that if the affair could not thus be adjusted, by
 consent, you would seek the desired substitution of Mr
 Miller for Col. McK. by a regular application to the
 court; & that either he must be removed from the
 trust, or you must separate from your wife. That
 I then enquired of you whether you desired a separa-
 -tion, to which you replied in substance 'I only mention-
 -ed the separation, Sir, as an alternative, but consider-
 -ing the interrogatory as proposed by you, I answer, of

such a separation be desirable to Mrs M. & her friends, I have no objection to confer with them on that subject. I wish you here to understand, Mr Moderwel, that I did not represent myself as authorised by you to treat with Mrs M. on that subject, but that I mentioned it some minutes after the object of the visit had been announced, in order to show her how determined you were, & consequently how necessary it was for her to take her resolution promptly, & furthermore because I thought it proper she should know that you had looked to such an event as a contingency not unlikely to occur. I now give you the answer of Mrs M. She will acquiesce in the resignation of Col. M.C. & the appointment of Mr Miller whom you have designated, provided you will consent to her nominating another to be associated with Mr M. in the trust. This she thinks cannot be objected to, as it comports with the original design (there having been in the first place two Trustees one of whom is now no more) and inasmuch as it would afford her an opportunity of including some gentleman with whom she is personally acquainted. Should this plan meet

your approbation Col. McK. & Mrs M. will interpose no obstacle to its immediate execution - Mrs M. however having in mind the alternative of which you spoke, bids me say that if, rather, in the event of Col McK's continuing in the trust or not, you should wish a separation, she will interpose no objection. It will only be necessary for you to propose terms for her consideration - All of which is respectfully submitted by your obdt. servt. Charles J Jenkins."

"Ch^r J. Jenkins Esq^r - Sir, I shall be at the office of Mr Miller this evening between 7 & 8 o'clock prepared to submit to you a proposition on the concluding sentiment contained in your note of yesterday - Tho I deem the appointment of two Trustees altogether unnecessary yet, yet I will not object to such an appointment, provided the individual selected shall be entirely disinterested & not unfriendly to me - Your obedient servt.
W^m M^r M^r M^r, Sandhells, Jan^y 31st 1833"

"Augusta, 31st Jan^y 1833 - Sir, Your favour of this morning was received two hours since or thereabouts. If we can have a private interview on the subject of 'the con-

521

cluding sentiment contained in my note of yesterday" at Mr Miller's office, I have not the slightest objection to meeting you there & hearing your proposition. But you will at once perceive the impropriety of discussing such a matter before any one unconnected with Mrs M. & yourself until it shall have been agreed upon. So far however from seeking concealment from any other motive than that of delicacy to Mrs Moderwel, I should have not the slightest objection to reducing all I may say to writing, of which you may have the custody. If you are assured we shall be uninterrupted at Mr Miller's office, or if you will accept an invitation to my office, I will cheerfully meet you at either place. Otherwise it would perhaps be better that you should submit your views in writing. Please let me know by the bearer what is your pleasure in the matter - Yours respectfully, Charles J. Jenkins. To the Rev Wm Moderwel -"

"Sir, In reply to your note of this date which I have just received, I beg leave to say that I shall be at Mr Miller's office at the hour of 7 this evening when we can have a

private interview or not as shall be determined on - Yours &c
 Wm Moderwel, Sand Hills, Jan^y 31. 1833."

During a walk from Mr Miller's office in Augusta, Mr M.
 said he would have no objections to a second trustee being ap-
 pointed if suitable to him. If not, if Mr McKenney would pay
 Fifteen Thousand Dollars & cancel a judgment he would go
 where he would not trouble them nor they him - Mr Moder-
 wel asked if Mr M. had nominated any other trustee to be
 associated with Mr Miller - Mr J. P. King was named as having
 been mentioned - to which he (Mr M.) objected, as he Mr M. ex-
 pected to make Mr King a party to a suit if brought against the
 trustee - He mentioned some with whom he would be
 pleased, as Campbell or Longstreet - inserted that Col.
 McKenney should be removed - On parting Mr M. remarked
 that the matter of separation could not be consummated
 until the first of April - Mr M. during these conversa-
 tions spoke of Mr M. with affection -
 On Friday night about the 2nd of February at the Sandhills
 at Col. McKenney's I mentioned to Mr Moderwel the conversa-
 tions - Mr M. said that Mr McKenney did not owe him

Fifteen Thousand Dollars, & therefore she could not pay him that amount - Mr Modenel then mentioned Mr Robert A. Reid of Augusta as Trustee -

On Saturday morning going to Augusta, Mr Modenel on his way to Columbus overtook me, & said from what Mr Modenel stated at parting, he expected that she would not return; that she (Mrs M) ~~said~~ ~~she~~ was going to Louisville with her Aunt, & said when asked when she would return she did not know - Mr M. said I would recollect this matter was not to be consummated till the 1st of April, as Mr Modenel did not wish to be alone till that time - that the world was censorious, & he feared suspicion & the investigation of the Church - asked if the Presbytery should notice the matter to which I replied, no - I expressed astonishment that Mr M. should desire to live with his wife after agreeing to separate two months hence - I said as to the proposition he need say no more, as Mr Modenel refused on condition of paying the sum specified - I told him I knew nothing about Mrs M's return, but I would give him an answer on Monday or Tuesday after his return from

Columbia to the propositions last submitted - We then parted -

On Monday or Tuesday I addressed him a note expressive of Mrs M's opinions; Augusta 4th February, 1833.

Sir - As my engagements render it inconvenient for me to visit the Hall this afternoon, I thus communicate to you Mrs Modewells answer to your first proposition providing for the nomination of a trustee on her part, to act with Mr Miller, in the place of Col. John McKenne, who as you request is willing to resign. You answers that you having objected to the nomination of Mr King, she now nominates Mr Rob^t A. Reid - Should this be acceptable to you please inform me of it as soon as convenient - To your second proposition that in the event of the parties being unable to agree upon trustees as the successors of Col. McKenne a separation between her & yourself as husband & wife shall take place - provided Mrs McKenne will pay you fifteen thousand Dollars (which you say she owes you) & satisfaction be entered on a judgment which Col. McKenne as Trustee holds over you & provided also that this separation be not consummated until the first of April, & that in the meantime Mrs Modewells

525

shall remain with you - she answers that your terms cannot
be acceded to for three reasons - 1st Because the sum you demand
cannot be derived either in law or equity from the source whence
you propose to draw it - 2^{ndly} Because that sum taken from her
property would leave her destitute or nearly so - 3^{rdly} Because after
agreeing upon a separation to take place in future she could
not for a moment think of remaining with you until it
should be consummated - Respectfully your obedt. Servt.
Charles J. Jenkins - ^(In the) "For Mr. Modenwel -"

Next morning walking in Augusta Mr. Modenwel asked
if Mrs. Modenwel had nominated another trustee - I mentioned
Mr. Reid - To this he objected on the ground of personal enmity -
I replied Mrs. M. would not appoint any other - He asked if
Mrs. M. would return - I told him I had no instructions on
that subject - He asked if I considered what had passed
between us confidential - to which I replied no - A few days
after I received a letter from Mrs. Modenwel saying she did not
intend to return - the substance of which I addressed to Mr.
M. "Augusta 19th Feb^r 1833. Sir - In our last interview, you
enquired when Mrs. Modenwel intended to return & received

for answer that I had no instructions to communicate with you on that subject. Since that time on being informed of what had passed between us, Mr M. has requested me to say to you that she does not intend returning to live with you— Respectfully, your obdt. servt. Charles J Jenkins— To the Rev Mr Modewell—

At Mr Miller's office a few days after Mr Modewell said he wished an offer made for his interest of the property— desired an early answer & said that under existing circumstances he should not request Mr M's return— I informed Mr Miller at Columbia Court what would be given to Mr Modewell— Mr Miller informed me Mr Modewell would not accept— Here the matter between us dropped—

3^d Question. Do you know that in the summer of 1832 Mr Modewell refused Mr M. money & whether she did not get it elsewhere?

Ans. I do not know that he did refuse— She got money from the trust stock thro Mr King— I supposed Mr Modewell had not money enough to supply his wife's travelling expenses—

Cross examined

527

Question 1st State the circumstances out of which the interview in the City Hall grew?

Ans. Col. Cumming informed me Mr. Moderwel wished to communicate with me on the above subject - To which I objected for many reasons -

2nd Question - Did the proposition not come from you about seeing me? Answer - No -

3rd Question - Did you not hear me say in the City Hall that I would rather be dead or in my grave, or separated from my family than treated as I was?

Answer - Not in the connection stated - you twice alluded to separation -

Quest. 4th - At Mr. Miller's office did I not say I had no wish to be separated from Mrs. Moderwel?

Answer - You stated this conditionally -

Question 5th Did I not state Mr. M. might select both trustees?

Answer - You did, provided they were disinterested & such as you should approve -

Question 6th - Did I not object to Mr King before you announced his name? Answer - No -

Question 7th - Did you not state your memory to be bad? Answer - I said I did not think I had a very good memory, tho I generally recollected things interesting me -

Question 8th - Was not your intercourse & mine friendly previous to marriage? Answer - Yes -

Question 9th - Do you know any thing derogatory to my moral character since my restoration to the ministry?

Answer - No, I do not.

Question 10th - Did you ever hear me accused by the family of penuriousness? Answer - No.

Question 11th - Did you ever hear that I withheld money from Mrs Moderwell? Answer - No -

Question 12th - Had you not reason to think me in extreme poverty last summer when Mrs Moderwell went to travel? Answer - I had no reason to think so -

Question 13th - Do you think the separation between Mrs Moderwell & myself would have taken place, but for the correspondence between you & myself?

Answer - I think it probably would not - But I should have taken no part in the matter, but for your introducing it twice previously -

Question 14th - Was not your letter to me in relation to W^m Modewell's not returning written subsequently to my motion for the removal of Ed McKenne as trustee? Answer - Yes -

Question 15th Have I not commenced a suit against Ed. McKenne? Answer - Yes -

Examined by the Presbytery -

Quest. 1st Have you any reason to believe that W^m & W^m Modewell have lived happily since his restoration to the ministry? Ans. - I have no personal knowledge on the subject -

Quest. 2nd Have you ever heard W^m Modewell say that W^m Modewell has treated her unkindly since his restoration to the ministry? - Ans. I have -

Quest. 3rd Did W^m M. assign you in her letter reasons for not returning?

Ans. I do not recollect any distinct reasons -

Question 4th - What was the amount of money offered Mr Miller in settlement with Mr Moderwel?

Answer - He was offered a sum of money in the hands of Mr John P. King to the amount of \$2600, together with the satisfaction of a judgment of \$1800.

Question 5th - Do you know how much Mr M. has received annually from the estate?

Answer - I do not know how much he has received.

Question 6th - Do you know whether a letter written by Mr M. to Mrs M. was returned unread?

Answer: I know she did return such letter, the reasons of which were that she had been frequently disappointed in her husband's amendment, & determined not to hear any propositions on that subject -

Question 7th - What was the unkind treatment given by Mr M. to Mrs M. since his restoration?

Answer - That his general deportment to his wife since his restoration was harsh & unbecoming - sometimes contradicting her abruptly & once at least threatening her that she should pour tea for him for the last time -

Question 8th Have they lived more happily since the restora-
-tion than before?

Answer - There has been an amendment since his intemperance

Question? Has not Mrs M. been often compelled to flee for
refuge from Mr M's unkind treatment since his restoration?

Answer - No -

The Presbytery having completed the examination of Mr
Jenkins adjourned till Monday morning at sunrise -

Concluded with prayer -

Athens Monday Morning, sunrise - August 12th 1833 -

Presbytery met according to adjournment & was
opened with prayer - Members present as on Saturday -
The minutes of the last sitting were read & corrected - Presby-
tery then had a recess till 8 o'clock A.M.

August 12th 1833 - 8 o'clock A.M.

The Presbytery met - Mr A. Wingfield an Elder from the
Church in Washington appeared & took his seat -

It was moved that Presbytery proceed to the unfinished
business of Saturday; viz. the receiving evidence in the case
of Mr Modershel - The motion was waived to give place

to the following resolution—Resolved, that no testimony whatever affecting the character of Mr Moderwel previous to his rectorship to the ministry, will be admitted & the Moderator is charged specially to see that this order is executed— This motion was lost by a large majority of votes— It was then moved by the prosecutor that Col. John McKenne be admitted as a witness in the case— Mr Moderwel then objected to the competency of the witness on the following grounds— 1st On account of the nearness of relationship existing between Col. McKenne & the parties interested in the case— 2nd On account of personal maligancy towards himself— 3rd On account of his notoriously bad character— 4th On account of the deep interest he personally feels in the issue of the trial—

Mr Moderwel was then called on to substantiate his objections to Col. McKenne as a witness by proof— Whereupon he replied as to the 1st Objection— Col McKenne is the reputed uncle of Mrs Moderwel— 2nd Obj: He read a paper to prove its validity— a note to Mr B. McKenne and answer thereto dated 18th August 1830 tending to show in

In estimation a conspiracy against Mr Modewells domestic hap-
-piness by false reports against him - 3rd Object. Defendant stated
that nothing was more common in Augusta than to hear people
speaking of the notoriously bad character of Col. McKenne
as to veracity - 4th Object. He leaves Presbytery to judge
of this from what has already been stated -

The objections of the defendant to the qualifications of Col.
McKenne as a witness, resting chiefly upon bare assertion, or
upon papers no way confirming them, Presbytery deemed them
insufficient & determined to admit Col. McKenne as a
witness. Upon this determination of the Presbytery to admit
Col. McKenne, Mr Modewell read certain papers implicating
the proceedings of Presbytery & of the prosecutor especially -
laid them on the table & abruptly retired renouncing all
connection with this body - Upon the departure of Mr
Modewell the following resolution was offered & adopted
Resolved - That whereas Mr Modewell has left this body
& renounced all connection with Presbytery, a committee
of two be appointed to conduct the management of his
case. The committee consisted of the Rev. J^r Gamble

& Col. Charles C. Wells—

The following members obtained leave of absence during the remaining sessions of Presbytery; Col Z. Williams and Archibald Wingfield—

On motion resolved that the statements of Mr. Moderwel implicating the conduct of the Presbytery which he desired to be entered on the minutes of Presbytery, be referred to a committee to report— Messrs Jas. C. Patterson, Rem. Chamberlain & John Cunningham were appointed on that committee—

Col. McKenne being introduced & adjured, was asked the following question by the prosecutor— Will the witness tell us all he knows personally as to the case before us from the marriage of Mr & Mrs Moderwel?

The witness answered to the following effect viz.

Mr & Mrs Moderwel were married in Jan. 1821. In the course of that or the succeeding summer it was discovered by my family in which they resided that Mr M. had an unfortunate temper— At that time he was the Pastor of the church in Augusta, of which a part of my family

535

were members, in consequence of which many circumstances connected with the display of this temper occurred, but were by the family hushed up - In July 1824 at dinner at my table & while Mr Madewell was a member of my family conversations arose relative to some unfortunate circumstances that occurred in conjunction with Mr Durans marriage with Mr Augustus Moores sister, in which expressions were made relative to Mr D's treatment of her - Observations were then made by the ladies reflecting upon Mr Durans conduct - The ladies remarked that Mrs D. had said that Mr D. had treated her badly & had even threatened her brothers life - On which Mr Madewell remarked ~~that~~ he would not believe Mrs D. if she was to swear till she was as black as his boot - On which Mrs M. remarked, "Mr M. you ought not to say this relative to Mrs D. She is a member of your church, a pious, good woman, & her brother Mr Moore your friend". Mr M. raised his eyes & said, "Hold your tongue Madam, who spoke to you" - His manner created astonishment in all present, it was so unexpected. Mrs M. dropt her knife & fork, & left the table, & Mrs McKenne soon followed her, without freshing her

dinner. Mr M. then in a passion rose from the table, & on going up stairs, called "Martha, bring me the keys up stairs". After remaining there a short time, he came to the head of the stairs, & again called "Martha bring me the keys." - The having not heard the first time, being hard of hearing. Perceiving him to be in a passion & not willing to trust her in the room with him; took the keys from her & carried them to him, found him striding across the room, closed the door behind me, presented him the keys, & remonstrated with him as to his conduct - His reply to me was that he knew his rights & was determined to maintain them. He then proceeded to collect his clothes, then stepped to the piazza & ordered the boy to get his carriage. The carriage was brought to the door. Mr M. passed down towards it without saying a word to any body - On seeing which Mrs M. called on Mr M. "Where are you going?" "I am going down the country" said he, without turning back or looking at her. He went to Mrs Whiteheads in Burke Co. as his letter to Mrs McKenne says - In two or three days he returned to Augusta, when he wrote an apologetic letter to Mrs McKenne dated July 29. 1824. which is as follows - My Dear Friend - It is not an indication of

pusillanimity when in error to confess it - I have been ⁵³⁷ ~~scarcely~~ ^{scarcely} in the wrong - I have broken your peace & interrupted your domestic tranquillity & I ask your forgiveness - My object in leaving home & going to Mrs Whiteheads was, that I might alone & uninfluenced carefully review my conduct - This I have done prayerfully & I have been lead to adopt the determination that (tho' the grace & strength of God) by a kind, conciliatory, & respectful demeanour I will make reparation for the injury I have done - This you can show to Martha - I shall be up in the evening -

Yours sincerely
Wm M.

Augusta, Thursday Morning

To this a ~~reply~~ ~~was~~ ~~given~~ by Col. McKenne at Mrs McKennes request on the same day which is as follows viz:
So long as Mr Modelwel will conduct himself towards the females of my family as I do, I shall be glad to see him - But I must say a contrary course will produce feelings I truly wish to avoid - J McKenne, July 29. 1834 -

This note of Col. McKenne Mr M. regarded as an insult, & wrote a harsh reply to it founded on threats inferred by him to be contained in it - Which letter is

as follows - Sir, The threat contained in your note of this afternoon has produced the effect you doubtless intended, viz, my exclusion from your family - I shall say nothing vindictive & revengeful; but I must be allowed to say that if you imagined me composed of such pliable & unintelligible materials as would yield to every rude & uncourteous impression - especially after a respectful & conciliatory note had been addressed to the party aggrieved, you have been most egregiously mistaken

July 29. 1824 -

W^m Modershel

He also addressed the following note to W^m Modershel
 My dear Martha, I confidently expected to see you this evening, but shall be denied this satisfaction in consequence of the receipt of a note from your Uncle this afternoon, in reply to one I addressed your Aunt in the morning - I shall say nothing of the character of this short communication, except that its sentiments utterly forbid my ever seeing you at Col. McKim's -

July 29. 1824

I am your affectionate
 husband - W^m Modershel

W^m Moderwel then wrote to W^m to W^m Moderwel desiring
him to return home - My Dear Husband - I cannot express
the astonishment I felt (on my return from Prayer Meeting
last Evening) at the strange course you had determined on &
the still stranger reason you assigned for it - Whatever
Uncle may have written, I am authorized to say, that he
intended nothing more, than that due politeness & respect
should be maintained towards all the females of his
family - In this I know that you have of late been
very deficient - It will be however unnecessary for
me to enumerate the instances, as your own memory
will doubtless readily furnish them - I deny that I
said or did any thing on Monday that ought to have
called forth a single harsh expression from you, much
less, such as you gave me at dinner - I do not however wish
or intend to reproach you - I would ask you this. Does
your reason justify you in supposing that Uncle intended
to widen the breach between us, in his note yesterday, when
all his efforts have been hitherto intended evidently to
reconcile us & induce us to live in peace & harmony -

I am sure that upon cool reflection you cannot give the
 note the interpretation you mentioned - I must also
 make another observation - Your expressions of late have
 been frequently in my presence (to say the least of it) unjusti-
 fiable to Uncle - An apology was therefore due to him,
 & as the head of the house, I think it would have been
 most proper, that you should have written him yester-
 day. I hope you will prove by your subsequent con-
 duct, that your penitent feelings have not already
 vanished, but that they are durable & sincere - I am
 sure that you know too much of my Uncle's liberality
 & generosity of disposition to think for a moment
 that he does not wish you to return - I shall send
 George down with the Carriage expecting you will
 be up this evening, & that the Lord may incline
 your heart into the way of peace & righteousness, is
 the fervent prayer of your ever affectionate and
 faithful - M. Modicewell

Sand Hills July 30th 1824 -

At this time my house was Mr & Mrs Modicewell's

541
Home - The following letter from W^m McKenne to Mr
Moduvel was then read. Summerville July 30. 1824, The
receipt of W^m Moduvels note of yesterday so completely unnerved
me as to prevent my replying to it by the return of George
& indeed as he mentioned his intention of coming up in the
evening I thought a verbal reply at that time would
answer every purpose. You have rightly judged when you
say "I have broken your peace." You have literally done
so. But you have asked my forgiveness & promised
to make reparation for the injury you have done me,
I therefore most cordially forgive you & hope by the grace
of God you will be enabled for the future to walk
more circumspectly, remembering that unto Him you must
render account for all your conduct. The note W^m McKenne
addressed to you yesterday was not a reply to the one you
wrote me. He considered himself aggrieved as well as
the other members of the family, to whom you had made
no apology, & under this impression he addressed you.
I perused the note & cannot construe any part of it
into a threat. I beseech you to be calm, & to reflect

seriously before you act, remembering the responsibility of
 your station & that the eyes of the world are upon you.
 That you may be guided by divine wisdom is the sincere prayer
 of your friend
 M. McK.

Mr M. returned in the evening, but in an ill humour, &
 from that time until the day before Christmas, altho' staying
 in my house he never spoke one word to me - On that day
 he removed to his own house in Augusta, but returned the
 next day to mine, in order to dine with a friend, when he
 spoke to me - We then were reconciled & conversed again -
 after which time not a week passed in which Mrs M.
 did not come over in distress - Being asked what was
 the matter! Oh Aunt or oh Uncle, the same trouble over
 again - until it resulted in the expulsion of Miss
 Jones from the house, whether she had gone to reside
 at the request of her Aunt, in the hope that she would
 be company & a comfort to her sister & a check to
 to Mr Modewells bad temper & ill treatment -
 Dr & Mrs Powel the grandparents of Mrs M. & Miss
 Jones being on a visit to Augusta to see their

daughter Mrs M Keene, & as they would go to spend some days with their grand daughter Mrs Woodwell, with whom they knew that her sister Miss Jones was residing, & if she was not there that cause would be given for astonishment & enquiry, Mr M. came over to my house in alarm & intreated Miss Jones to return - Miss Jones returned at his request and remained until her grandparents were gone home, soon after which his outrageous conduct again drove her from his house - & a servant brought a message from him to her, saying, that if he caught her there again he would stretch her, since which she never has returned -

The summer after (1825) Mr Woodwell rented a house of Capt. Ketchum on the Hill - soon after removing there Mrs M. ran over one evening in apparently great distress; on being asked what was the matter, she replied "Oh Mr M. is in a great passion & has got a gun to shoot silly, & I am afraid my own life will be in danger by staying there" - After some

344

Conversation, evening came on, when Mrs. Modewel discovered that she had the key of the sideboard or closet, and wished to send them home, and not being willing to trust them to a servant, I offered to take them myself and did so. On reaching his house I found him in a great passion, delivered him the key, and conversed with him on the impropriety of his conduct and warned him that the public would find him out. Then he declared that if the girl was not sent off to New Orleans and sold, by his maker, he would separate from his wife. This was the first time in my recollection that the expression was used tho' often afterwards repeated. — In 1826, on returning from the country in the evening, I saw Mr. Modewel standing by the steps looking into my house. On approaching him, he turned round and demanded of me his wife and servant, who were, he said, secreted in the house. I replied to him, I do not know if your wife is in my house, but if she is as I have often told you, Sir, it is her house and as long as she chooses to make it so, and if a servant is under her protection, she is safe. after a little

debate between Mr. Moderwel and myself, Mrs. M^{rs} Kinnis and Miss Jones who had been out, came home. Mrs. Moderwel looked out from the piazza above and solicited her Aunt to go up stairs. Mr. Moderwel and myself continued conversing on the subject, Miss Jones being present, when my nephew John came where we were, and intreated Mr. Moderwel to go home, soon after which he drew a knife from his pocket and attempted to stab me. Miss Jones screamed out, "Mr. Moderwel has a knife". I threw up his arm as he attempted to use it, my nephew jumped in between us, pushed him away and begged him to go home, soon after which he retired.

Mrs. Moderwel remained a day or two at my house, when Mr. Moderwel feeling sensible of his condition began to write to his wife desiring her return, promising good behaviour in future and saying that if his misconduct was repeated, she might then give him up forever. Notes as follows. "My dear Martha what shall I say to induce your return - My punishment is greater than I can bear in my solitary condition. - Have pity upon me and say whether you will come over this Evening, and I solemnly

declare that if I ever again am guilty of misconduct,
you may leave me, and that forever.

July 8th Signed William Moderwel

"My dear Martha, If you are too much indisposed to
come over this morning - Do let me know when you will
return. If you knew how much I am suffering, I know you
would commiserate my condition - O my wife, for God's
sake return, I make but this one more experiment and if
it fails then give me up. Your unhappy William Moderwel -
Dated 8. July 1829." - The next incident took place at the time

of Mr. Moderwel setting off to attend Synod in Charleston -
Upon which occasion his wife and her sister wished to pay
a visit during his absence, to their brother in Scriven, to
enable them to do which Col. Jones had sent his carriage
for them - During the afternoon, while preparing to set off
on their journey, Mr. Moderwel got in a violent passion,
and refused to accompany them - The Ladies proceeded,
with no other protection but a servant, on that evening
to Mrs Rowels 8 miles from town. where after some time
he overtook them, but his ill humour continuing, he

declared his intention of going on to the mills that night, instead of which, he sniped his way ~~and~~ staid all night at Genl. Walkers plantation, (as I was informed) thrown out of his sulkie and his arm broken or elbow dislocated. The ladies from his passion and menaces afraid to keep the direct road took right hand one and went by Waynesboro, and Mrs. Bonnells for fear of meeting him on the road. They could not in consequence reach the Mills that night, ~~and~~ on their arrival next day found that Mr. Moderwel had not come - nor did he arrive for a day or two afterwards. Here was introduced the following letter from Mrs.

McKinnis to Mrs. Moderwel to rebut some assertions of Mr. Moderwel relative to her. viz. Summerville December 13th 1827.

My dear Martha, & Sarah, Your letters of Friday, Sunday, and Tuesday's dates, were all handed to me last evening; ~~and~~ some two, or three, years ago, might have caused me a sleepless night. But, the frequent recurrence, of similar conduct to that, which you have detailed, has in a measure blunted my sensibilities: and although distressed, ~~and~~ mortified, always at such recitals; I no longer feel the anxiety, I formerly did. This state of things, cannot much longer exist.

It is not however, worth, while at present, to enter fully into a subject, we have so often discussed. As regards Mr. Moderwels arm, I should apprehend no danger, from your statement; but hope that you, my dear Martha, will always act, so as to have, an approving conscience. Be attentive, and kind to him, and as long as you live together, discharge your duty faithfully. - And you my dear Sarah, I would advise to be, at least respectful, in your conduct towards him. This course, I have endeavored to pursue myself, and although I have sometimes been insulted, feel a pleasure in knowing, that no act of mine, has been calculated, to elicit such conduct. Let your primary object be to keep a conscience void of offence, toward God, and toward man". "M. McKinner" A few days however, before the journey to Scriven, Mrs. Moderwel ran over very much alarmed as Mr. Moderwel was in a passion, had a knife in his hand and threatened to cut ^{off} Mrs. Moderwels ears - after which she staid a day or two at my house, until Mr. Moderwel came to his senses when he wrote the following note to solicit Mrs. Moderwels return. viz:

July 7th 1829. "My dear Martha, I had hoped the

Almighty would have inclined your heart towards me
in my miserable condition - and that you would at least
have allowed me the happiness of seeing you once more.

Can you not my dear wife come over and see me - If
tears of the ~~deepest~~ bitterest, anguish, could make any atone-
ment for my misconduct, they have been shed, and that
profusely - I wish to see you, and pray God to induce you
to comply with the request of one who loves you, and who is
in the deepest abasement and distress - Do write
me a line, informing me of your determination -

Signed - "William Modarvel"

4th July 1829. My dear Martha, I am done drinking,

and if ever I resume the habit, then abandon me -

But not until you make one more effort - I am

now so sick as to require your attentions, and I do

believe unworthy as I am, that I shall not plead for

them in vain - Do my dear wife, come over, and at

least allow me the opportunity of conversing with you

Yours sincerely William Modarvel

Shortly after this Mr Modarvel went to Florida, a day

or two previously to which according to mutual understanding his wife took occasion to visit her Brother in Scriven County, and her Grandmother in Louisville, with whom she spent the time of his absence. Mr. Moderwel called at Mrs. Powell's on his return, and asked if Mrs. Moderwel was there. Mrs. Moderwel came to the door, when he, without alighting from his carriage demanded the reason why she was absent from home? Mrs. Moderwel replied that her Grandmother's horses were sick, and she could not go over until the next week. at which time Mrs. Powell came to the door, and asked Mr. Moderwel if it was possible he was not going to alight? He said no, but as he rode off, Mrs. Powell heard him say, I care not if you never return home again, or if I never see you again. This was on Saturday, he went to Mrs. Lowry's four miles off where he passed the night, and went to Augusta on the Sabbath.

On Monday after, he wrote a note to Col. M^{rs} Kime proposing a formal separation from his wife, commencing a correspondence to her and myself on this subject,

deceived you - I remember with painful regret
 the days of old when I considered one of you as
 my Father, and the other my mother - I am now
 far from the land of my nativity, without wife,
 or friend, (and may I not add home - I request
 you to make some early arrangement by which
 I may be sundered from her I sincerely love, (and
 seek my fortune in some distant clime"

"Monday Evening" "William Modawel"

Reply - viz.

Sandhills February 15th 1831.

Sir, I did not reach home until late
 last evening, or your note of yesterday would have
 at once replied to - I can only say with regard
 to its Contents, that I presume neither Mrs. Modawel
 or her friends, will object to the separation you pro-
 -pose; and that I shall take an early opportunity
 of making your wish on the subject known to
 her - In the mean time, any proposition from you
 with regard to the "arrangement" shall have my
 early attention, so soon as I return from Burke

where I expect to go early to-morrow" Signed "J. M. McKim" "

Col. McKim, Sir, I hereby recall the offensive note addressed to you in my last. It has ever been to me the occasion of unfeigned regret that I should have been so infatuated as to have written that note. The one of Monday (which I desire also to recall) was written under feelings lacerated at the prospect of again entering into this dreadful solitude without the presence of a single white person to cheer and comfort me - I should be exceedingly unhappy if Mrs. Moderwel was even informed of the contents of that note, and I entreat that she may not be - I saw for a few moments at Louisville when she stated her intention to return this week - I trust we shall meet as if no correspondence had passed between us - I am certain I shall be utterly and irrevocably lost if she deserts me. My feelings are now tender under the pressure of indescribable distress - I am anxious to become reconciled to the family, and if you will allow

me an interview this morning, I hope this may be done - (and) that I may yet live to be a comfort to my dear little family, a happiness to its friends, and a useful member of Society -

Yours kindly William Moderwel

The above note was received on "Monday Morning"
 Wednesday February 11th 1831. Reply. February 11th 1831

Mr Moderwel's note of this morning, will be more fully answered hereafter than my present time will admit of - as I have just returned from the Country, and am compelled to go to town immediately - J. McKim -

If Col. McKim could form any estimate of my sufferings, I believe he would commiserate my unhappy condition, (and) not decline a prompt reply to my note of yesterday - I am miserably afflicted - I have solicited the favour of a friendly interview and this request will I trust at once be granted.
 Thursday afternoon February 14th 1831. - William Moderwel

Reply. viz. "February 17th 1831.

Mr. Moderwel, Sir, As

I contemplate going to morrow or next day to
Burke, as I mentioned in my note of Tuesday
last, and being unusually pressed for time ere I go
I cannot have an interview with you before my return.

By then, I shall have more leisure, to reflect on
the past, present and probable future, and should
you then desire an interview, I shall be sufficient-
ly at leisure to see you — I.M. McKimé"

"Will Col. McKimé have the kindness to relieve
my anxious and afflicted mind, on one point, that is
that nothing shall be done on the subject of my note of
Monday Evening, and that Mrs. Moderwel shall not be inform-
ed of its contents — I love her most sincerely, and will
endeavour on your return, to act towards you and the
family the part of a broken hearted and penitent man —
Can Col. McKimé say on what day I may expect
my dear Martha home — William Moderwel"

P.S. Col. McKimé, as you are pressed for time I

will not trouble you farther, than to reply to this, and say when you will be back yourself".

The above note ~~and~~ postscript was "received at 1/4 before 5 o'clock P.M., Thursday February 17th 1831 - and not answered".

"Col. McKinnel, Sir, I now renew the request made previous to your departure for Burke - I should have solicited an interview with Mrs. McKinnel and yourself this day, but have been confined most of it to my bed by indisposition - May I ask this favour at some hour to-morrow that will be convenient to you. - William Moderwel" February 25th 1831."

"My very dear Martha, a sense of duty and my strong affection for you, prompt me to make one more effort to induce your return - I believe you are not indifferent to me, but sincerely sympathize with me in this my distressing exigency -

I am now wretched ~~and~~ solitary - far from the land of my nativity, ~~and~~ without the presence of her who alone on earth can afford relief to this distressed ~~and~~ troubled soul of mine - I am sincerely sorry for my past misconduct, ~~and~~ I wish to make amends for it - I desire to be useful, ~~and~~ this I can be, if you return to me - If you do not, I am a lost ~~and~~ ruined man, ~~and~~ that you must know - and will you not my dear wife ~~make~~ one more effort to save your wretched husband? Will you not make sacrifices to raise him to usefulness and respectability? I know you will - Let this be the final effort, ~~and~~ if, ~~after~~ this, either at home, or abroad I am guilty of the slightest aberration from propriety, then leave me, ~~and~~ this letter shall be your warrant for so doing - If you will return to me my dear Martha, I will study your peace, ~~and~~ endeavour to promote it by all the means in my power - I do not think the occurrences at Louisville were sufficient to cause all this distress - I deeply regret them

and pray God to over-rule them for his glory and our good - I know not what to write, for such is the state of my mind, and such the agony of my feelings, that I am at times almost bereft of reason - O! do return once more - I entreat you -

Wife of my bosom I entreat you to return to me, and that speedily - I entreat you by all my agony and self-reproach - I entreat you by the prospect of my future usefulness and respectability - I entreat you by the ashes of our dear little babe (the pledge of our earliest and fondest love) that repose so sweetly in your dear peaceful and silent tomb - I entreat you to return to me, and save your wretched and unhappy husband from plunging himself into the dark and awful gulph of absolute desperation -
 If you desert me every avenue to my earthly happiness and prospects is forever closed.
 If you desert me after the tender and beseeching appeal I now make you, I shall deplore it, and pray that you may not have occasion to do so forever, and ever - I wish you to give me

a final answer by George, for this dreadful state of suspense is more than I can endure many days longer - I am as ever your affectionate, but now deeply distressed and unhappy husband -
 "Thursday night March 3^d 1831." William Moderwels

The following note in Mr. Moderwels hand but without his signature, dated May 23^d 1830 was introduced in evidence and should have been inserted on page 531 - viz -

"John McKim knows himself to be a liar by note of this afternoon - and that he is a villain I know and will with pleasure resent any indignity, even the slightest that he may offer - I shall keep his note as an evidence of his lying - Any man who will say that he is not in possession of a paper, which he himself has seen, and read in the presence of others, is a beast

I shall meet you at Court."

Besides the shewing of the notes, the interview desired with Mrs. McKinnon and myself was granted him, and on his protestations of sorrow and future good conduct Mrs. Moderwel returned to him.

After this, Mr. Moderwel continued visiting at my house until a short time before Mr. Pentkin's marriage with Miss Jones, when he broke off altogether for reasons unknown to us, tho' believed by all to have arisen from his not being invited to perform the marriage ceremony, which marriage took place at Louisville at the house of Mrs. Powell -

After his restoration to the Ministry, he continued his absence from the house, and declined all intercourse with the family -

Soon after which his unfeeling conduct towards Mrs. Moderwel was renewed; abusing her friends about money matters, accusing them of cheating, and acting in such a way as to render her miserable, causing her to almost daily to flee over to her Aunt for advice and consolation in her situation - denying the validity of the marriage contract, and claiming the whole of the trust estate as his own;

refusing his consent to her getting money to travel when advised so to do for her health; and threatening frequently to carry her uncle and Aunt into Court to answer for their misdeeds, as he called it. He demanded also the resignation of Col.

McKinnon as trustee. - The following letter were then introduced

Viz: Col. McKinnon, Sir, As my wishes to avoid every thing irritating and unpleasant, I submit it to you, whether the absence of that cordiality which is so indispensable to the transaction of business, ought not to induce you to resign, as Mrs. Modurwells Trustee, and afford the opportunity for the appointment of two persons entirely disinterested, and who shall be in all respects perfectly unexceptionable - In proposing this measure of peace, I wish it to be distinctly understood, that I do not by it in the slightest degree confirm the marriage settlement, but reserve to myself the right at any time of invalidating it, by a full statement of the circumstances under which it was made -

Very respectfully &c.

William Modurwel. -

June 12th 1832.

Reply: Viz: "June 15th 1832. Mr. Modrowel, Sir,

In reply to your note of the 12th instant, I take leave to say that, as I sought not to become Mrs Modrowel's trustee, I shall with pleasure resign as such, whenever she desires it, or you show that I have been unfaithful in the discharge of my duties in that capacity -

Respectfully of. A. McKim: -

"Col. McKim, Sir, I submit the following reply to your note of the 15th received yesterday, in which you say, "that you sought not to become Mrs. Modrowel's trustee" - It cannot be forgotten by you that after having repeatedly refused to make the marriage settlement, I was at length induced to do so, in consequence of the oft repeated protestation, that the Trustees were to have nothing to do with this business; that the property was to be as much mine after making it, as it was before - and entirely subject in all respects to my management and control - Had not these declarations been made to me day after day, you know that the marriage

settlement would never have been made, and consequently that there would not now exist even the semblance of a pretext for your acting. - You say further, that you will resign whenever Mrs. Modarwell desires it. - The meaning of this I comprehend distinctly. - Her desires are in entire accordance with your own; for your word is her law, and you might as well interrogate yourself on this point as consult her. - In remarking on the third and last idea contained in your note,

I cannot conceal my unaffected astonishment at the indirect assertion of your fidelity in the discharge of these duties; for I had supposed that being aware of the ample and undeniable proof in my possession in relation to your doings, you would have frankly admitted something more than "infidelity". - In thus commenting on what you yourself have introduced into this correspondence, I disclaim all intention of unnecessarily wounding your feelings. - It remains to be seen whether you will continue to act in opposition to my known and expressed wishes. -

If you do not resign and afford the opportunity for the appointment of two persons entirely disinterested; and if this property is not divided, and made available for the wants of my family who for more than four years have been without the comforts, and very frequently during that period (as cannot be unknown to you,) without the most indispensable necessities of life; I tell you explicitly, that consequences will be induced of no common character, and which you, and others may have occasion deeply to deplore - I am very respectfully &c.

Inno 20th 1832. William Moderwel."

Reply: viz: "Inno 20th 1832. Mr Moderwel,

Sir, For your note of this date, I feel contempt, utter Contempt, because, it contains falsehoods against whom? I say, against your wife (rather than which honourable men should die) and against - J. M. Skime." - P.S. to the above without signature. viz: "I shall neither receive from or send to you, future notes by servants."

Query proposed to Col. McKinnon by one of the Pres-
 bytery: - Who first suggested the idea of a marriage
 settlement? Answer: It originated in a conversation
 between Mr. Moderwel, Mrs. McKinnon and Judge
 Reed, as the latter told me - the Judge having brought
 over some papers relating to my marriage settlement;
 the question was asked by one if it would not answer in
 his case (Mr. Moderwel's) - when it was answered
 certainly; and Judge Reed was directed by Mr.
 Moderwel, to prepare it - after which as Judge Reed
 informed me, Mr. Moderwel called on him, paid
 him for it and appeared perfectly satisfied. - A
 schedule of the amount of income of the trust Estate
 containing the amounts collected by Mr. Moderwel
 was then handed in and also a letter from Col. Jones
 stating the amount of principal paid in to Mr. Mod-
 erwel out of the trust Estate. - Soon after this the
 troubles recommenced; and after various courses of
 a separation on certain conditions - viz:
 Conduct by Mr. Moderwel he proposed, that Mrs.
 Moderwel should live with him until April, when

566

they would part amicably. - He afterwards wrote to Col. McKim or sent word by Mr. A. D. Miller and Judge Singslet. that if he would give him (Mr. Moderwel) 15000 Dollars and satisfaction on the execution assigned over to the Trust-Estate, by the Bank, he would give up Mrs. Moderwel and the balance of her fortune and go where he would never trouble them again.

This was refused, when repeated propositions were made by him to separate, provided he was paid for it. - Query here put by the Presbytery: Do you think any mutual affection remains between Mr. and Mrs. Moderwel? Answer: I cannot believe any woman of delicacy can have any affection for one, acting as he has done, nor can I think any man who had a disposition to part from a wife, and take from her the last dollar she had, could have any. - Mr. Moderwel repeatedly used the words, that, by his maker if such and such were not done he would separate from Mrs. Moderwel.

I would also mention that besides the 5000 Dollars received of the Trust Estate from Col. Jones by Mr. Moderwel and for which he has never accounted and refuses to account; Mr. Moderwel has been in the habit of receiving the income of the Trust Estate in his own hands amounting to 1500 Dollars including the rent of the house in which he has resided, and the hire of Negroes in his service, out excluding the rent of lots in Augusta, and of the Oconee tract. - one exception ^{has} is necessary to be made - back dividends on Bank Stock and of money in Mr. John P. King's hands, being withheld in consequence of his (Mr. Moderwel's) refusing to give receipts for it unless the whole was paid into his hands, thereby depriving Mrs. Moderwel of the use of any and every part of it. - Query by one of the Presbytery:

Was Mr. Moderwel, as far as you know been intemperate in the smallest degree since his restoration to the Ministry? Answered: Not in the

least to my knowledge.

Read to witness and approved.

I certify that the above abstract of testimony of Col. John McKim was read by me to the witness, and approved by him. James Jackson

Clerk Pro. tem.

Mr. William Mann was introduced by the Prosecutor as a witness; who being adjured, testified as follows: By the Prosecutor, Question 1st Are you a member of Col. McKim's family? Answer, Yes. Question 2nd How long have you been so? Answer: Since the winter of 1818. Question 3rd

Before Mr. Moderwel's connexion with that family was there not peace in it? Answer: Never knew any disquietude previous. Question 4th: Was not Mrs. Moderwel calculated to make a reasonable man a good wife?

Answer: As much so as any person I ever knew. Question 5th Has the conduct of Col.

McKim's family, been conciliatory towards Mr.

Moderuel? Answer: In a high degree. Question 6.

What has been Mr. Moderuel's Conduct towards that family? Answer: Not like that of a son: -

destitute of amiability. Question, 7th. State what you know of Mr. Moderuel's conduct towards his

Answer. During the first 3 or 4 years, witness was young and did not know. Knows of one instance of bad conduct. One of his servants offended Mr. Moderuel on their way to the Sand-hills - witness, Mr and Mrs Moderuel in the Carriage - Mr Moderuel spoke so harshly to Mrs. Moderuel that witness was indignant - Conduct generally of late unkind. -

Question 8th Did you ever receive any charges from Mrs. McKinnon, not to speak of Mr. and Mrs. Moderuel's disagreement? Answer: Repeatedly I have. -

Question 9th Did Mrs. McKinnon give reasons for secrecy? Did not wish domestic difficulties to be emblazoned before the community. Mrs. McKinnon was a member of the Church of which Mr Moderuel

570 was Pastor. — Question 10th Do you know what Mr. Moderwel's conduct towards his wife has been since his restoration? answer. Have not spoken to him since, nor even seen him for about three years till last Synod, when tho' I saw him, I did not converse with him. — Question 11th Have you had any conversation with Mrs. Moderwel since that period on the subject? answer. Have had no conversation with her since the restoration of Mr. Moderwel on this subject. — Cross Examined.

Question 1st Does witness know anything of the intercourse between Mr. and Mrs. Moderwel for the last three years? answer. Have not seen them together during that time (ie) three years.

Question 2nd Do you know any attempt on the part of Col. and Mrs. McKinnon to alienate the affections of Mr. and Mrs. Moderwel? answer. I know of no attempt on the part of Mr. and Mrs. McKinnon to alienate Mrs. Moderwel from her husband. — Question 3rd Did her

appearance indicate deep distress when she fled?

Answer: Did give indications of deep distress when she fled - was frequently bathed in tears and rushed into her room speedily, without speaking to the family. - Question 4th Any case of the above kind of flight since the restoration? Answer:

Nothing of this kind known to Mr. Mann since Mr. Moderwel's restoration. - Question 5th Did you ever have any difficulty with Mr. Moderwel?

Answer: Once had a personal encounter with him - have no feelings of friendship towards Mr. Moderwel, but feel like a brother towards Mrs. Moderwel. - Question 6th Was you present when Mr. Moderwel drew a knife on Col. McKinnon?

Answer: Know nothing concerning the drawing of the knife. -

Read to witnesses and approved.

The Committee ~~then~~ to whom was referred the papers of Mr. Moderwel implicating the proceedings of Presbytery, and which he desired

to be entered on the minutes, made their report which was adopted and is as follows; -

The committee to whom was referred the document which was read before this body by Mr. Moderwel and desired by him to be entered as a protest, upon our minutes, beg leave to report,

That the second section of the eighth Chapter of the book of Discipline, requires more than one member to enter a protest against the decisions of this judicatory - and that the 8th section of the same Chapter plainly excludes every one from the privilege of joining in a protest who had not a right to vote in the decision against which a protest is entered - and that consequently Mr. Moderwel being alone, and upon his trial before this body cannot Constitutionally enter a protest upon our minutes -

The committee would further remark that the document submitted to them is not in the regular form of a protest that it contains

Statements which are palpably incorrect, and moreover, it contains ^{offensive} reflections against this body - Our Committee would therefore take no further notice of it, than to file it among their papers.

Signed: James C. Patterson
Chairman.

The following resolution was offered and adopted, Resolved, that the paper laid on the table by Mr. Moderwel containing charges against the Prosecutor in his case the Rev. H. Reid, be laid on the table indefinitely, and disregarded as coming from one who is himself under censure.

The Brethren Patterson and Baker were appointed a Committee to prepare a narrative on the state of religion to be submitted at the meeting of Presbytery at Bethel in Columbia County.

The Brethren McAlpin and Wilson, were appointed a Committee to prepare a pastoral letter to the Churches under our care.

On motion of Charles C. Mills a ruling

374
elder, Resolved, that the Presbytery hereafter at
its annual meetings shall call on the Rep-
resentatives of each Church within its bounds
to state fully and at large the nature ~~and~~
extent of the support given to their respective
ministers - the nature of the obligations existing
between the Churches and their Pastors, ~~and~~
how far such obligations have been complied
with. - Presbytery had a recess until 8 o'clock P.M.

Athens 8 o'clock P.M. August 12. 1833.

Presbytery met. a motion was made to bring
the case of Mr. Moderwel to a close, which
was carried. The following preamble and resolu-
tion were then submitted, to wit: "Whereas it
has been clearly proved to this Presbytery that
the Rev. William Moderwel is living in a
state of separation from his wife, to the great
injury ~~and~~ reproach of the cause of Christ,
therefore, Resolved, that the Rev. William Moderwel
be deposed from the Gospel Ministry." -

Before the vote was taken on the adoption of this Resolution, the Rev. Doctor McWhir who was present, was requested to lead in special prayer for divine direction. — The roll was then called, and the votes taken, when it was found that the above Resolution deposing the Rev. William Moderwel from the Gospel Ministry, was adopted by a majority of 26 to 1. — Messrs Patterson, Quillin, Reid, Baker, Marks, Pond, King, Kedd, Harrison, and Montgomery had have of absented from the remainder of the present sessions. —

Presbytery adjourned till tomorrow morning at sunrise. — Concluded with prayer. —

Athens, Tuesday Morning, sunrise August 13th 1833

Presbytery met and was opened by prayer — Members present as yesterday. The minutes of the last session were read. On motion, resolved that the trials of Mr. Jackson a candidate for licensure under our care, be taken up. Mr. Jackson was therefore examined

37^b on the last 8 chapters of the Confession
of Faith. — On motion Resolved, that
Col. McKinnis have the papers read in his
testimony against Mr. Moderwell and that
according to his suggestion, he be requested
to prepare Copies of them, and transmit
the same to Major James Jackson at Athens
to be sent to the Stated Clerk, he promising
however to hold the originals subject to the
call of the Presbytery when it may need them.

Presbytery had a recess till 8 o'clock A.M.

Athens August 13. 1833. 8 o'clock A.M.

Presbytery met. Mr Samuel Baldwin obtained
leave of absence. Presbytery resumed the
examination of Mr. Jackson. His examina-
tion on Theology was continued. He was
also examined on Church Government,
Ecclesiastical History, Languages and the arts
and Sciences. His examination on the arts
and Sciences was sustained as part of trial.

He was instructed by Presbytery to pursue further the other subjects for examination at the next annual sessions of Presbytery. — The candidate then also read a lecture on the 133 Psalm, and an exegesis on the subject heretofore assigned him, which were sustained as parts of trial prior to licensure. — The Committee on the subject

of Foreign Missions reported the following resolutions. — 1st Resolved, That the several members of Presbytery be called upon to state what they have done or are doing in their several Congregations on the subject of Foreign Missions. —

2^d Resolved, That it be requested of the members of Presbytery, who have or may have any funds in their hands to transmit them as early as possible to the Committee of Deposit, the Rev. A. K. Salmons, R. Chamberlain, and S. S. Capell, to be transmitted to the Pittsburgh Board for the support of the Rev. John B. Pimey Missionary to Africa. —

The meeting appointed at the last sessions of Presbytery at Hopewell Casper County, was changed from the Thursday before the second, to the Thursday before the fifth Sabbath in September.

In addition to the brethren already appointed, Brother Mooney was appointed to attend this meeting.

On motion resolved, that at our next annual meeting at Milledgeville, a Sermon be preached on the subject of Foreign Missions - Brother Hoyt is appointed to preach that Sermon, (and) Brother Galmage his alternate. — The Committee to whom was referred the duty of preparing a pastoral letter to the Churches under our care reported and the report was accepted (and) adapted, and the pastoral letter was ordered to be published in the Charleston Observer, and when thus published to be read in all the Churches. — The above mentioned letter is as follows viz: Beloved Brethren, Convened to deliberate on the interests of the Redeemer's

Kingdom, and devise measures for its advancement we have deemed it our duty before closing the present sessions of our Presbytery to address you a few words of Council and advice. — In looking over our beloved Zion we have found little to cheer and encourage our hearts. — Scenes of spiritual decay present themselves on every side, to the weeping eye of tender and undissembled piety. — as overseers therefore of the flock of Christ, as Pastors whom God has commanded to feed his sheep, and carefully cherish his feeble lambs permit us to call your attention to the following remarks. —

1st Is the standard of personal piety, brethren, amongst you sufficiently elevated? God has placed us in most interesting circumstances. We live at an eventful period. The world is ripening for the great harvest of the Millennial day. God expects ~~and~~ it of us and the condition of the human family demands of you, more vigorous efforts in the great work to be performed. —

But without more holiness of heart - more heavenly-mindedness - more spirituality of life and conversation, how can you accomplish what is demanded of you as the children of God.

It may be profitable to contrast our state with that of the primitive servants of God. How holily they lived - how cordially they cooperated in the work of Christ - what unity of aim and exertion - what singleness of eye to the glory of God - how willing to sacrifice all, even life itself for the sake of the Redeemer's cause. - "There remains yet very much land to be possessed" Much of your own religion is yet unattained - How small your faith - how feeble your hope - how dwarfish and contracted your charity, compared with that enlargement of graces which characterized the early believers, and which must exist before the universal spread of the Gospel.

2nd Next to your personal religion is not the

Standard too low in your families?

Brethren permit us to use great plainness with you on this point. What is the state of family religion? Is the altar erected in your habitation on which the morning and evening incense is continually offered? Are the ^{Holy} Scriptures daily read in the domestic circle? Do you endeavour to impress on those committed to your charge the infinite worth of the soul? the vast importance of religion - the shortness of man's probationary state - the solemnities of death and judgment, and the length of eternity? The work of catechising we fear is much neglected. Our good old way in which the fathers walked is in a measure abandoned. The Sabbath-School, where it exists, is truly a great auxilliary to parents in the work of family instruction, yet it by no means releases them from all responsibility. The rising generation is the hope of the Church and the world - destined to ~~accept~~ act perhaps in the scenes

of the Millennial day, how carefully should they be prepared, by storing their minds with divine truth? Do you require all your family both children and domestics to attend when you read God's Word, and supplicate a throne of grace? Or are they abroad in the field or folded in the arms of sleep? These things ought not so to be brethren? You have account to give at the Bar of God. You have to meet these children and servants at the final day? And how can you who have never prayed in your families, nor acknowledged thus in your ways - meet the all scrutinizing eye of Jehovah on your trial at the judgment-Bar? 3^d. Connected with this subject we would enquire what attention is given to the public means of grace?

Can you say as David said, "One thing have I desired of the Lord, that will I seek often that I may dwell in the house of the Lord, all the days of my life, to behold the beauty of

the Lord, and to enquire in his temple" Has your heart rejoiced when they said, "let us go to the house of God"? Do you strive for that preparation of heart, which only can render the ordinances of the Sanctuary profitable? Is it with prayer and thanksgiving you enter the house of God? Do no worldly thoughts or conversation unfit you for the holy employ of public worship? Is the Sabbath morn spent in holy meditation, and self examination? Is the Sabbath evening spent in that manner which is calculated to advance your spiritual interests?

But do you carry your children with you to the Sanctuary, or are they permitted to roam at large in indolence and vice? How unlike the father of the Faithful, of whom Jehovah testifies, "I know him that he will order his household after him &c." And like Abraham, brethren have you dedicated your offspring to the Lord, and neglect to rear them in his nurture and admonition? Many there are we fear who in

regard even to this first parental duty, the consecration of their children to God's service, are awfully negligent? They either come tardily to the discharge of duty, and appear at the baptismal font months after the Lord has blessed them with their tender charge, or perhaps they never come at all. We know that this is true in many instances, that even some elders of the Church have most criminally neglected this duty. Tho' they have in their ordination-vows adopted our standards, as containing the truth of God's Word, yet in practice they have denied it, and set at nought the positive requirements of our Confession of Faith.

4th Again, there is an awful profanation of the Sabbath throughout the Land. Let us ~~ask~~ ask is the Church free from this evil?

Have you all ceased to desecrate God's holy day by travelling or pursuing your worldly avocations? No man can excuse himself for the violation

of this Command. "Remember the Sabbath day to keep it holy" - And that man who drives his team on the Sabbath either going to or returning from market - he who sets out on a journey on this day - or spends holy time in talking about secular concerns - his crops - his Gold mines - his lands, or the news of the day, is guilty of a dreadful profanation. Let such hear the word of the Lord. "If thou turn away thy foot from the Sabbath from doing thy pleasure on my holy day: and call the Sabbath a delight, the holy of the Lord, honourable; and shalt honour him, not doing thine own ways, nor finding thine own pleasure, nor speaking thine own words: then shalt thou delight thyself in the Lord." Isa. 58^o. 13, 14^o - The redeeming spirit is in the Church. If the commands of God are to be regarded, the work must begin at the house of God - The Sanctuary must be cleansed - God's own people must live more holy and

harmless and undefiled.

5th Once more brethren; Contemplate the dying command of the Saviour. "Go this in remembrance of me". Can any one who loves Jesus disregard this injunction of the friend of sinners? Can those who have tasted the bitterness of sin, who have tasted of the Wormwood and the gall, and have as a last, an only refuge from the wrath of God, cast their souls at the foot of the Cross, ever forget the hour of their espousals - the moment when they believed, and found a sin-sparing God, which afforded sweet peace of mind and rapturous joy? How then can many professors stand aloof, in our Churches, from the Sacramental-Board, on which are presented the emblems of the broken body and shed blood of the Redeemer - Brethren such a course of conduct, is all wrong - entirely wrong - Every person is to be prepared

387

to come to the Lord's table, in obedience to that
last, that dying command of Gods dear Son.

5th And lastly: we would remind you of
your duty to those who watch for your souls as
those who must give account. Esteem them
highly in love for their works - Remember
their wants - Contribute to their necessities - and
permit us here to call your attention to a
resolution moved by our brother Col. Charles
C. Mills, a ruling elder of the Church in
Milledgeville, during the present session -
"Resolved: that the Presbytery hereafter at
its annual meetings shall call on the
representatives of each Church within
its bounds to state fully and at large the
nature and extent of the support given
to their respective ministers - the nature
of the obligations existing between the Churches
and their pastors, and how far such obliga-
-tions have been complied with". Regard this

as a high and important duty which God has enjoined. "Ye are my friends" said the Saviour; "if ye do whatsoever I command you". Read the Scriptures that you may know your duty, and having learned it, go and do it. — In Conclusion, dear brethren, we say to you in the words of the Apostle, his farewell address to his beloved Corinthian brethren, "Be ye perfect, be of good comfort, be of one mind, live in peace and the God of love and peace shall be with you". We must all soon give account to him that judgeth righteously. — If then we are indeed the disciples of him who lives and reigns above, perfect joy and unfading glory shall be our reward: but if we are deceived, and are found to be only the pretended friends of the Redeemer, darkness and despair shall be our portion. — Let us look

589

well then to our prospects for eternity. There
will be awful disappointments at the judg-
ment seat of Christ. Many will say in
that day "Lord, Lord open unto us," to whom
he shall answer and say, "Depart from me I
never knew you, ye workers of iniquity". May
the love of Christ fill your hearts, and his
grace sustain you through all trials till
we meet in heaven, where our ~~communion~~
shall be sweet and uninterrupted, and
our joy everlasting, is the prayer of your
brethren in the Lord. The committee to whom
was referred the subject of Doctor Goulding's tract on
Baptism reported: The report was accepted and adopted, and
is as follows. Your Committee appointed on the subject of
Doctor Goulding's tract, beg leave to report, that they have
received twenty dollars and ten cents, having a balance
unsold of twenty nine dollars and ninety cents worth
and your Committee would recommend that some plan
be now adopted to dispose of the unsold tracts (and

that the money now on hand be sent immediately to Doctor Goulding and the balance of the money be forwarded as soon as it can be collected from the sale of the tracts. — On motion the petition of the Church of Fairview was taken up, and after some discussion it was on motion laid on the table indefinitely. — Samuel S. Casels was appointed to transmit to Doctor Goulding the amount of money in the hands of the Committee, to wit: thirty dollars and ten cents arising from the sale of the tracts — and that the remaining tracts be so disposed of among the members as to raise the balance, due Doctor Goulding, as soon as possible. — Presbytery had a recess till two o'clock P. M. — Two o'clock P. M. Presbytery met. The minutes of the previous sitting were read and corrected. — On motion Resolved, that Presbytery return their thanks to the Citizens of Athens for their polite attention in affording such ample accommodations, to them during their deliberations. — and that the Pastor be requested to make known

this resolution from the pulpit. — The roll was called, when it appeared that the Rev. Robert M. Alpin and Elder William Hodge were absent without leave. Presbytery adjourned to meet at Bethel Church Columbia County on Saturday before the first Sabbath in December next at eleven o'clock in the forenoon, concluded with prayer, singing and the Apostolic Benediction.

Edwin Holt. Moderator. —

Samuel S. Caspels, Temporary Clerk.

89th Session. Bethel Church, Columbia County 30th November 1833. Eleven o'clock, A.M.

The Presbytery of Hopewell met according to adjournment. Opened with a Sermon by H. Reid from I. Tim.

IV. 8th "Godliness is profitable unto all things having promise of the life that now is and of that which is to come". — H. Reid the senior member present was called to the Chair. Opened by prayer.

Members present: H. Reid, R. Chamberlain, and S. S. Caspels, with the licentiate J. W. Reid, and

the Elders Robert Flemming from Lincoln, J. Williams from Mount Olivet, and James Tool from Bethel.

In the absence of the Moderator A. Reid was chosen Moderator pro. tem. and S. J. Capels temporary Clerk.

The Rev. S. Kennedy from the Presbytery of South-Carolina being present, was invited to sit as a corresponding member. The minutes of the last meetings were called for; but were not present. The subject of A. Reid's ordination was taken up: and James George applying to be taken under the care of Presbytery, it was resolved to examine the two Young Brethren at once as to the evidences of their piety and motives which had led them to seek the Gospel Ministry. Whereupon the Presbytery proceeded to such examinations which were decided satisfactory. It was then resolved to hear the Sermon of A. M. Reid preparatory to ordination; and accordingly Presbytery heard the Sermon. Presbytery then had a recess to meet at the call of the Chair.

5 o'clock P. M. Presbytery met. James George

having been examined as to his piety as well as to the
 motives which have led him to seek the Gospel Ministry;
 and having also given sufficient evidence of his being
 a Graduate of a Literary Institution and of his being
 regularly connected with the Presbyterian Church in
 Athens, was received under the care of this Presbytery
 as a Candidate for the Gospel Ministry. The following
 were assigned the young Brethren as parts of trial
 preparatory to Licence: as an exegesis *In quo differt
 justificatio ab venia?* as a critical exercise *II. Cor. XII.
 VII, VIII, and ~~IX~~ verses*, together with the first sixteen chapters
 of the Confession of Faith, to be examined upon
 at the next meeting of the Presbytery. Presbytery
 then examined J. W. Reid on Philosophy, the Sciences,
 the Languages, Ecclesiastical History, Theology, the
 Sacraments and Church Government; which
 examinations were all sustained. Whereupon it
 was resolved to ordain J. W. Reid as an evangelist
 to preach the everlasting Gospel. And as to-
 morrow will be the only convenient time and there

594

is expected to be a full audience present. It was resolved that the ordination take place on tomorrow at eleven o'clock A. M. Presbytery then adjourned to meet tomorrow at eleven o'clock.

December 1st Eleven o'clock A. M. Presbytery met. Opened by prayer. The ordination Sermon of S. W. Reid was preached by S. J. Casels from John VIII. 46th "Never man spake like this man" H. Reid delivered the charge. S. W. Reid was then Solemnly set apart and ordained as a Gospel Minister by the imposition of the hands of the Presbytery and took his seat as a member. Presbytery adjourned until the annual Meeting April 1834. H. Reid Moderator, pro. tem. Samuel J. Casels, Clerk pro. tem.

9th Sessions:

Milledgeville April 3rd 1834.

The Presbytery of Hopewell held its annual meeting pursuant to adjournment and was opened with a Sermon by the

Rev. Saml. K. Salmage, the Moderator ^{by the Synod 1795} appointed, to discharge that duty, from Genesis IV. 9th "And the Lord said unto Cain, where is Abel thy brother? And he said, I know not, Am I my brother's keeper?"

Constituted with prayer, members present, John Brown D.D. Nathan Hoyt, Saml. K. Salmage Robert M. Alpin, Saml. S. Caspels and J. W. Reid Ministers, with the Elders James Montgomery, from Zhyatira, Edmund Baldwin from Monticello, Joseph Bryan from Mount Zion, Zachariah Williams from Mount Olivet, E. A. Nisbet from Madison, Benjamin Paul from Washington, and R. A. Stines from Milledgeville.

The minutes of the last Sessions being absent Presbytery had a recess until two o'clock P.M.

Two o'clock P.M. Presbytery met, and in the absence of the Moderator, Doctor Brown the senior member present, was called to the Chair. Rev. N. Hoyt was elected Moderator and Rev. Samuel S. Caspels temporary Clerk.

596 The minutes of the last meeting were read and confirmed. Rev. A. S. Wilson, Thomas F. Scott and Edwin Nolt from the Presbytery of Goodhope being present were invited to sit as corresponding members. The absentees from the last meeting were called upon for their excuses. Doctor Brown alone of the number being present rendered an excuse which was sustained.

The Rev. Saml S. Davis from the Presbytery of Harmony by a regular dismission from that body to become connected with this, was received as a member. Mr. Charles W. Howard, by a regular dismission from the Second Presbytery of Philadelphia was also received as a Licentiate under our care. A committee was appointed to make the necessary arrangements for preaching during the present sessions of Presbytery, which committee consisted of Mr. Charles W. Howard together with the Elders, Charles L. Mills and R. K. Stried.

S. J. Capels, minister, and W. Searing, Elder, were appointed to attend the next meeting of the General Assembly of the Presbyterian Church. Joseph H. Sumplin, Elder, was appointed the alternate of Mr. Searing.

James H.
Daniel Ingles and Joseph Sage candidates under the care of Presbytery being absent, their trials were continued.

The exegesis of J. C. Cozby being presented to Presbytery was referred to a committee consisting of J. W. Talmage minister, and E. A. Nisbet Elder for examination.

R. C. Ketchum applying to be taken under our care as a candidate for the Gospel Ministry, was examined on experimental religion, and the motives which have led him to desire the ministry, which examinations were sustained; and the Presbytery having sufficient evidence of his being a regular member in the Presbyterian Church, assigned him the following as parts of trial previous to licensure—for an exegesis "De Sacrificis"—for a popular lecture Psalm CX. 1-3 inclusive. — Rev. H. C. Carter appeared, rendered reasons for tardiness and took his seat.

William Turk, Elder, from New-Sebanon appeared and took his seat. On motion, resolved that hereafter the Elders appointed by the Churches as delegates to this body, when tardy, be called upon for their excuses as in the case of minutes.

The Presbyterian Church in Milledgeville presenting through a Committee a regular call for the ministerial services of Mr Charles W. Howard, a Licentiate under our care, to become their Pastor, the call was accordingly placed in the hands of Mr Howard, who signified his willingness to accept it. Whereupon it was resolved, that provided the examination of Mr. Howard be sustained, Saturday 3 o'clock P. M. be fixed upon as the time for his ordination and installation, and that Rev. S. S. Capels preach the Sermon and the moderator preside, give the Charge and address the Congregation. Presbytery then proceeded to examine Mr. Howard on experimental Religion, and the motives which have led him to seek the Gospel Ministry.

He was also examined on Philosophy, the Languages, Church History, and Government, the Ordinances, and Theology, all of which examinations were sustained.

Mr. Howard then read before Presbytery as a part of trial previous to ordination a Sermon from John III. 16 "For God so loved the world that he gave his only begotten Son that whosoever believeth in him might not perish but have everlasting life" which was also sustained.

Rev. R. Chamberlain from the Presbytery of Goodhope, being present was invited to sit as a corresponding member.

Presbytery then adjourned to meet tomorrow morning at half past eight o'clock. Friday morning

half past eight o'clock, Presbytery met. Opened with prayer. Present as yesterday - Moses Alexander, Elder, from the Church of South Liberty, and John Brownfield, Elder from the Church of Hopewell appeared and took their seats.

Rev. James C. Patterson of the Presbytery of Goodhope being present, was invited to sit as a

corresponding member. A letter was received from the Rev. H. Reid assigning reasons for absence from the present meeting of Presbytery which were sustained. — The following charges against Rev. H. Reid were preferred by Zachariah Williams, who also undertook to be the prosecutor in the case. I hereby present the following charges against Henry Reid a member of this Presbytery.

1st For Forgery, in making use of the name of John W. Reid without his permission in the call of the pro-re-nata meeting of Presbytery which met at Augusta on Friday the 28th of June 1833. — 2nd For wilful (and atrocious) falsehood in asserting on Friday the 28th of June 1833 in Presbytery, that John W. Reid had authorised him to use his name in the call of said Presbytery, when he knew he had not, and on the Friday evening or Saturday morning thereafter, admitted to the said John W. Reid that he had not invested him with that authority.

The witnesses by whom the above charges will be established are Doctor John Brown, William Quillin, William Moberwel, John S. Wilson and John W. Reid.

Milledgeville 4th April 1834. Signed - Zachariah Williams,

On motion resolved, that the preaching of the Foreign-Missionary-Sermon appointed at the last meeting be dispensed with. Resolved, that the Session Books be handed in and the reports on the state of religion be made on to-morrow morning at 9 o'clock, also that the reports of Church Sessions be made at the same time. A letter was read, addressed to the Moderator, from Rev. M. A. McHowell D.D. on the subject of Domestic Missions, which was referred to the Board of Missions to report as soon as practicable.

For a further account of the proceedings of the Moberwell-
-Presbytery. See Volume Second.

Finis

- f -

- Volume I. -

Formation of the Georgia Education Society 1823. (p. 208-221.
" " " " " Missionary. Lumber 1825. ^{p 246} p 244

Form of admitting members into
the church. p. 267. 268.

1829. Presbytery Resolves itself into a total
abstinence Society. p 366.