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Proceedings of the General Assembly of the Presbyterian Church at St. Louis.

SIXTH DAY—MORNING SESSION.

WEDNESDAY, May 23.

The Assembly met and proceeded to business as usual.

Rev. Dr. Gurley, from the Judicial Committee, reported as in order and ready for trial case No. 3, being an appeal of Rev. Samuel Boyd against the Synod of Wheeling, with the recommendation that it be referred, with the consent of the parties, to a special committee of five ministers and four elders for investigation. The recommendation of the committee was declined and the case was put on the docket.

Dr. Gurley, also from the Judicial Committee, reported case No. 4, being the complaint of B. F. Avery and others against the action of the Louisville Presbytery in not admitting Mr. Avery as a delegate in a meeting of that body.

The case was reported as in order and ready for trial. Docketed.

The order of the day, being the hearing of the report of the Committee on Domestic Missions, was taken up, postponed and made the order for Monday next.

Dr. Krebs moved that case No. 4 be made the second order of the day for this afternoon. Agreed to.

The Assembly proceeded to the choice of a place for the next meeting. The Central Church, Cincinnati; the Central Church, Baltimore; the First Church, Danville, Ky.; the First Church, New York; and the First Church, Buffalo, were put in nomination. The first vote was: Danville 2; New York 35; Baltimore 36; Buffalo 61 and Cincinnati 124. Cincinnati was then unanimously chosen. The third Thursday of May, 1867, was chosen as the time for the meeting.

Rev. Dr. Boardman, from the Committee of Foreign Correspondence, read a letter introductory of Rev. Dr. McCosh, signed by various eminent members of the Church of Scotland. Dr. B. said the Rev. Dr. McCosh was originally a member of the Established Church of Scotland, but went out of that Church at the time of its disruption, and was for several years and is still connected with the Free Church of Scotland. At present he holds a commission under the Crown as Professor of Logic and Metaphysics, of the Queen's College at Belfast, and he was also connected with the Presbyterian Church of Ireland. He need not, in such a presence, refer to those admirable works that had given Dr. McCosh a place in the respect and affection of our whole ministry. We honored him as a profound and able expositor on many of the most abstruse problems in moral philosophy; and he was sure the Assembly would receive him, not only on his own account, but as the representative of churches abroad, and would cordially and gratefully welcome him to this Assembly.

Rev. Dr. McCosh was then introduced by the Moderator.

The Assembly arose to receive Dr. McCosh, after which Dr. McCosh addressed the Assembly at length.

The subjects indicated by Dr. McCosh in his address, were referred to the Committee of Foreign Correspondence, and on motion of Dr. Boardman, Dr. McCosh was invited to occupy a seat, at his pleasure, by the side of the Moderator.

After referring some matters to the appropriate Committees, the Assembly adjourned. Closed with prayer by Dr. McCosh.

AFTERNOON SESSION.

The Assembly met and was opened with prayer by Rev. A. H. Hand, D. D.

The appeal of B. F. Avery against the Presbytery of Louisville was taken up.

Rev. Roger Owen from the Judicial Committee, said the papers in this case were put in the hands of the Judicial Committee, but the appeal was not found among them.

An application was made to the Stated Clerk of the Louisville Presbytery to attest the fact that the appeal had been made, and the Stated Clerk said this morning that he had prepared the appeal, and it was properly before the Assembly. This venerable Elder of the Walnut street church of Louisville was duly appointed a delegate from that session to the Presbytery of Louisville. Another who had been appointed by a minority also appeared on the floor of the Presbytery. Mr. Avery presented his case, but the Moderator said he recognized the minutes of the session as the minutes of the Church. The other elder was therefore recognized and Mr. Avery's claims were rejected. Mr. Avery appealed from the decision. I have read the proceedings of the case, and it seems remarkable. This Presbytery of Louisville claims to be an order-loving and constitution-loving and law-abiding Presbytery, but of all the proceedings in the world—

Rev. Mr Crozier. I rise to a point of order.

Moderator. I think this is not in order. I understand it is your duty to make an explanation, but you seem to be going into the merits of the case.

Mr. Owen. Well, my object was to show that this appeal was in order and that he was the person to sit here.

The Moderator. We take the report of the committee as showing that the appeal is in order.

Rev. Mr. Owen. Have we not a right to show that the appeal is just?

The Moderator. I don't know what you mean by the word just.

Dr. Boardman. I think the court must first inquire whether the parties are present. I wish to make that inquiry.

The Moderator. I suppose that to be inferred from the report of the Judicial Committee, that the case was ready for trial.

Dr. Boardman. I wish the Judicial Committee to answer the question categorically, whether the parties are before us?

Rev. Mr. Owen. I understood that the parties are properly before us.

The Moderator read from the Book of Discipline, and said, the first inquiry was as to whether the parties were here. Do I understand that the written appeal is not before the Committee?

Rev. Mr. Owen. In this case the Stated Clerk of the Louisville Presbytery stated to me that the appeal was properly made, as I have already stated, although he has just modified his statement somewhat.

The Modreator. Let me explain my view of this case. I had supposed that the Committee had discharged their duty, and I know nothing to the contrary yet. If it be a fact that there is no written document, my judgment is that the rule has not been complied with.

Rev. Dr. Patterson rose to request that the appeal might be read.

The Moderator. I have not yet passed the final step. I have not heard the sentence appealed from read.

Dr. Patterson. I move that the case be postponed to the next General Assembly.

Rev. Dr. Krebs hoped that no hasty action be taken. The committee, in presenting this report, supposed it was properly prepared. He understood that there was an appeal properly made out.

The Moderator said this seemed to be a case that was not properly before them, and it was his suggestion that the matter be recommitted.

The suggestion was agreed to.

The unfinished business, being the consideration of the resolution of Dr. Boardman in the case of the Louisville Presbytery, was taken up.

Hon. Isaac D. Jones, having the floor, continued his remarks from yesterday. He said that appeals from all bodies, from Presbyteries, from Synods, and appeals to the General Assembly, were matters of no inconsiderable importance. Such cases were important even in civil cases. One of the first amendments to the Constitution of the United States was made to secure to every man a fair trial by his peers, to provide that he should be present at the trial, and be confronted by the witnesses against him. By the civil law, every man must be presumed to be innocent until he is proven to be guilty. This Assembly had reversed this rule on the first day of its session. It had been maintained here that every deliberative body had a right to judge of the election and qualification of its members. That was true of our State and National Government. But this capacity was conferred by the Constitutions. This body was not supposed to have any inherent power lodged in itself. It was conferred by the book, and the Assembly must be governed by the book. Before a commissioner could vote for a Moderator, his credentials must be presented to the clerk. That being done, the member was properly in the Assembly. This was the case with the Commissioners of the Louisville Presbytery. They had filed their credentials, their names were on record and they were present. How could they be turned out? Before this could be done there must be an inquiry of some sort. These men were not in contempt. They were not, as has been stated, in the condition of a witness who should denounce a judge to his face that he was a tyrant, or a usuper, so as to warrant the court to send the contemner to jail. Neither was the Presbytery of Louisville in contempt of *this* General Assembly, whatever they might be to any previous Assembly. For this reason, this Assembly could not take cognizance of any matter aimed at a previous body. The brother from Ohio (Mr. Galloway) had boasted that he had been for twenty years in favor of the largest freedom of speech. And yet, upon the heels of a speech, made in this body, with a personal allusion to a brother, immediately moved the previous question and refused to withdraw it, even on the courteous appeal of the brother alluded to. It was not unusual with some classes of minorities that, when they became majorities, they became intolerant in regard to the rights of other minorities.

In the analogy which had been sought to be drawn from the case of Mr. Giddings, who was expelled from Congress, there was found no analogy to the case before the Assembly. He had been expelled for words used, words which he had refused to withdraw. But even then he was not denied a hearing in his own case. But these Louisville brethren were summarily excluded for no fault of theirs, and without a hearing. Even the Presbytery of Louisville itself had not been served with summons to answer for an offence, if any had been committed. There might be a question with the best of men whether the deliverances of a General Assembly were in accordance with the book. The Louisville Presbytery, doubtless, believed themselves in the right in condemning and opposing the order of the late General Assembly. They desired to be candidly dealt with, instead of having unfounded illustrations adduced against them. He was surprised at his learned brother (Mr. Galloway) who, although being a lawyer, had stated that the Supreme Court of the United States had decided that "a negro had no rights which a white man was bound to respect." This was not correct. The Supreme Court had decided no such thing. Even the language in the case referred to was only the recital of a statement made by a European monarch centuries ago The quotation from that decision of the Supreme Court was as unfair as would be that of an Infidel, who should declare that the Bible had said "There is no God." In this case, however, the brother and his friends appealed from the decision of the Supreme Court, went before the people on that appeal, as they said, and now boast that they succeeded in their appeal. How was it with the Louisville Presbytery? Had they appealed? They had not. But suppose it was otherwise, the Assembly had violated every rule of law in excluding these commissioners. They were not here under process. It had been said they were here under process against the Synod of Kentucky. How was this? Had we any report of the Judicial Committe to bring them here? Certainly we had not. At the best they were arrainged on common rumor. His brother from Ohio (Mr. Galloway) had said that, when a member was before the Assembly under process, he might be excluded whether he had a hearing or not. The rule applied only to a bishop or minister, and even then charges must be presented, or the offence must be so gross as to warrant notifying a communicant. He must not approach a communion table, until a hearing could be had.

Was there any analogy here to the case of the Louisville Presbytery? The Assembly ought to put itself right in this matter. It ought to see that the parties were properly cited before trial was entered upon. This had not been done. Instead, these brothers had been denounce as rebels. Nay, more, they were denounced as traitors. Farther still, they were told to go out and hang themselves, as Judas had done. He had sold his Lord and Master for thirty pieces of silver. It surely would not be said that these brethren had sold their Lord. He submitted that those who had signed the "Declaration and Testimony" had done so conscientiously, with a conviction that they were right. Condemn them, said he, for their error, but treat them as christian gentlemen, and do not denounce them for the commission of crimes.

Dr. Smith, of Baltimore, said he hoped the resolution of Dr. Boardman would go to the committee without further debate.

Dr. McLean said the committee were ready to report so soon as two of the committee could be found. They would report to-morrow if it were made the order.

The last part of the resolution of Dr. Boardman, instructing the committee, of which Dr McLean is chairman, to inquire into the expediency of inviting the members of the Louisville Presbytery to resume their seats in this body, was laid on the table; and the resolution with this amendment was referred.

The Moderator laid before the Assembly a communication resigning his Professorship in the Danville Theological Seminary. The communication was referred to the Committee on Theological Seminaries.

The report of the committee on the the exclusion of the Commisioners from Louisville was, on motion, made the third order of the day for to-morrow.

Mr. David Wills (Elder) offered the following preamble and resolutions:

In view of the fact that for several years past there has been a widely extended and constantly increasing desire on the part of very many of those in communion with and constituting the congregations of both the Old and New School Presbyterian Churches, that they should be one organic *Union*, as they are already one in doctrine and order, which desire has found such constant and cordial expression during the present session of this Assembly, through the warm christian salutations, as expressed by both Moderators and many of the members of the two Assemblies, now in session, also by the almost unanimous vote of the very large congregation on Monday evening in the house, with an earnestness and emphasis that could not fail to show how very strong the desire is for this union;

And remembering the prayer of the blessed Lord, as expressed in John, 17th chapter, that all may be one in him;

And believing from all these evidences that the time has come when these churches should make some proper efforts to consummate this desirable object; therefore

Resolved, That a committee of —— members, of whom the Moderator shall be chairman, be appointed to confer with a like committee of the other Assembly (if they shall concur) for the purpose of devising and maturing a plan of Union, on the basis of which both churches can unite.

Dr. Breckinridge moved that the preamble and resolution be referred to the Committee on Bills and Overtures.

Agreed to.

Dr. Humphrey was added to the committee on conducting the exercises in the First Church to-night.

The session was closed with prayer, and the Assembly adjourned until 9 o'clock to-morrow morning.

SEVENTH DAY—MORNING SESSION.

Thursday, May 24.

The Assembly met at 9 o'clock. After the usual preliminary exercises—

Dr. Lowrie, from the committee on Bills and Overtures, reported Overture No. 6, which was adopted, and is as follows:

Overture No. 6, from the Corresponding Secretary of the Board of Domestic Missions, asking that the Rev. Andrew Vance, D.D., Rev. Wm. Aken and Rev. William B. Rankin, together with the churches of Old Salem, Baker's Creek and Mount Bethel, in East Tennessee, be constituted a Presbytery under the name of Presbytery of Holston.

The committee recommend that the request be granted, and that the first meeting be held on the — of August, in the church of Old Salem; that the Rev. Andrew Vance, D.D., preach a sermon and preside until a Moderator is chosen, and that when the organization is officially reported to the Stated Clerk of the General Assembly, this shall be enrolled as one of our Presbyteries.

Dr. Lowrie also reported Overture No. 7, touching the boundary and connection of the Presbytery of Missouri River.

After some explanation from Rev. George Stewart, of Iowa, the Overture was recommitted to the committee.

Rev. J. T. Smith, D.D., presented the report on the Board of Education.

A general discussion on the report took place; and a good deal of opposition to the 4th resolution was manifested, until the Secretary of the Board, Rev. Wm. Spear, informed the Assembly, that it was proposed thus to conform to the wants of Maury Academy, Dandridge, Tenn. It was then amended to read as follows:

Resolved, That in the present dispersed condition of Presbyteries in some portions of the land, aid may be granted by the Board to the instruction of candidates requiring it, on satisfactory recommendations from ministers known to it, and that no extra aid be given to any young man unless the same shall be reported to the Prosbytery, and to the faculty of the institution in which the candidate is pursuing his studies.

Dr. Gurley moved that the appeal of Rev. Samuel Boyd against the Synod of Wheeling be made the first order for this afternoon. Agreed to.

Dr. Gurley also moved that the rules adopted last year, that in the trial of appeals the case be continued until disposed of, which was agreed to.

Rev. J. H. Pratt moved that in the trial of the appeal of Rev. Samuel Boyd, against the Synod of Wheeling, the Assembly sit with closed doors. The motion was laid on the table.

Reports on Synodical Records were received, after which the Assembly adjourned. Prayer by Rev. R. Herron.

AFTERNOON SESSION.

Prayer by Rev. J. L. Nevius.

The order of the day was suspended to hear the report of Dr. McLean, from the committee to whom was referred the case of the Commisioners from the Louisville Presbytery.

[It was published in our last paper.]

It was determined to hold a night session, beginning at a quarter before eight o'clock, and after accepting Dr. McLean's report, the further consideration was made the first order of the day for that session. Rev. Dr. J. H. Brookes was requested to inform the Commissioners of the Louisville Presbytery of that fact.

Judicial case, No. 3, was taken up, being an appeal of Rev. Samuel Boyd, against the synod of Wheeling. The Moderator gave the charge to the court as prescribed by the Book of Discipline.

1. Rev. Dr. Gurley read the appeal of Rev. S. Boyd.

2. The records of Presbytery in regard thereto.

3. Dr. Boardman offered a resolution to arrest the further reading of the records, and to remit it to the Presbytery of St. Clairsville, where it originated.

Without action on the resolution, after prayer by Mr. Galloway, the Assembly adjourned to a quarter to 8 o'clock, P. M.

NIGHT SESSION.

The Assembly met and was opened with prayer by Rev. W. M. Ferguson.

The rule of the Assembly calling for the continuance of a judicial case after it is once begun until it is finished was reconsidered, and it was determined to take up the report of Dr. McLean on the Louisville Presbytery.

Dr. McLean took the floor and said it was the desire of the committee to have Dr. Thomas to speak on behalf of the committee.

Before Dr. Thomas began to speak a letter was read from three of the Commissioners of the Louisville Presbytery. It is as follows:

The undersigned, commissioners from the Presbytery of Louisville, who happen not yet to have left the city—overlooking, in the spirit of forbearance, the insult and seeming mockery of the Presbytery and themselves, in a proposition to appear and be heard before a Court which has already condemned unheard—in response to the resolution of this afternoon, transmitted to them by the Permanent Clerk of the General Assembly, refer to their letter of May 19th, as containing very obvious and sufficient reasons why they could not, without further special instructions from their Presbytery, appear before the Assembly in any capacity.

SAMUEL R. WILSON,
STUART ROBINSON,
C. A. WICKLIFFE.

St. Louis, May 26, 1866.

Dr. Thomas took the floor, and occupied nearly two hours in defending the report. We have only space to report an outline of his speech. He began by referring to the first General Assembly held at Jerusalem by the Apostles. It required but little stretch of imagination to fancy *this* Assembly very similar, if not the same. You, Sir, Mr. Moderator, are St. James presiding over the Apostles, and Dr. R. J. Breckinridge is St. Paul, bringing up his appeal. It might be that this General Assembly in the year 1866, had precisely the same questions presented as were presented in the first century, at the Presbytery at Antioch, when a party set themselves up against the church, declaring they were for the union as it was and the constitution as it is. That faction at Antioch of Judaizers, were a *party of the past*, like those contending for the dead body of Moses. So with the Louisville Presbytery. They were fighting over the dead body of slavery and secession. Paul was at Antioch, with his commission written in heaven, yet he did not go elsewhere to do good and let these thus quarreling alone. No, he, like our brother Dr. Breckinridge, took an appeal, and such an occurrence then too, showed human nature in all ages alike. Paul made a motion in the Assembly, Barnabas seconded it and the Pharisees stood up and said—"you are not an Apostle, but an apostate." They did not know there was a new era; that a new dispensation had dawned. They did not discern the signs of the times.

It was a *local* question, confined to the Presbytery of Antioch. Some thought it ought to have been kept there. Not so thought Paul—he threw his whole energy into it. The Holy Spirit sealed Paul's work as right, and so he trusted that Spirit would the present work of this Assembly.

That party was small, but earnest and turbulent, and professed to be very zealous for Christ's crown and covenant. Yet they cared naught for, and even defied the Apostles.

There was another similarity in that Assembly, and this, for that was preceded by a convention, as he gathered from the 7th and 12th verses of this 15th chapter of the Acts. Paul took part in both with all the powers of his soul. He would not let this faction alone. Not only did he appeal, but he devotes one whole epistle to the "Shears question," for this party of the past would have every minister equipped ready to every where perform circumcision.

Dr. Thomas then endeavored to justify his "facetiousness" in a previous speech, and cited the irony of Elijah on Carmel, towards the prophets of Baal, and what he thought the awful sarcasm of Jehovah himself, in the third chapter of Genesis: "Behold the man is become as one of us to know good and evil," &c.

Dr. T. then proceeded to notice the Declaration and Testimony. That, said he, is not a protest. That is the right of every American citizen, and the birth-right of every Presbyterian, as it is the right of every worm to squirm when trod upon. There was no desire in this Assembly or this country to hinder free speech. But there was an exceeding difference between a man swearing in a court of justice and blaspheming on the street. It was one thing to utter convictions in private, and quite another in a solemn court of the Lord Jesus Christ. This Declaration and Testimony is not an earnest, prayerful pleading with erring brethren to come back, but it says, in the face of the Assembly—you lied. It charges the Presbyterian Church with robbing the Lord Jesus [illegible] and robe.

[illegible] and shameless representat[illegible] was never made. It has uncovered the nakedness of its mother and asks the whole world to come and look. It is time to do something. It is time that another Noah should arise, and another Ham should slink away in disgrace. It is not a protest, but an organized conspiracy to overthrow the government of the church. The Presbytery of Louisville had not been content with opposing the Assembly for error, but they had charged it with the crime of uniting with the military to overthrow the church. Yet they threaten to stop the pay of ministers, elders, editors and teachers who agreed with the General Assembly. This was a direct attempt to overthrow the government of the church

Dr. Hornblower. Is not such a course the breaking up of the bonds of the church, to put the church's money into the hands of a destruction spreading society?

Dr. Thomas said, they would divert all their charities from the church to put it in a fund to put their opponents under their feet. They did more. They raised the banner of rebellion against the peace and unity and authority of the church. He was surprised to hear his friend from "the State of Amboy" Dr. Hornblower, had not heard of the "Declaration and Testimony" before he came here. Not to have heard of this was to argue himself unknown. It had been published in two editions and scattered like the leaves of Valambrosa. And what was its intent? It was to sustain slavery.

His friend, Dr. Van Dyke, had found fault with the deliverance of 1864, claiming immediate emancipation to be a blessing, as it had no text of Scripture to establish it. Well, Dr. V. liked the deliverance of 1818, that said immediate emancipation is not desirable. He would like to know a text for that.

Dr. Van Dyke spoke up. I can give it.

Dr. Thomas did not insist, and went on to speak of the sudden exodus of 3000 slaves from Egypt.

It is too late for these gentlemen to speak as they do. If this question had come before slavery was dead, and when want of loyalty was no crime, it might have been well enough to have brought it up. But to bring it up now, when slavery was dead, and after six hundred thousand men had been sacrificed in support of loyalty, was to malign the church upon dead issues.

Adjourned until tomorrow morning.

EIGHTH DAY—MORNING SESSION.

Friday, May 25.

The Assembly met and after the usual preliminary business, Dr. Lowrie, from the Committee of Bills and Overtures, presented:

Overture No. 7—From the Presbytery of Missouri River asking this General Assembly: first, to extend the boundaries of said Presbytery northward so far as to include Woodbury county, [illegible] county is at present in[illegible] the territory of the former "Sioux City Presbytery," and second, to detach the Presbytery of Missouri River from the Synod of Southern Iowa, and unite it with the Synod of Kansas.

The committee recommended that the request be granted. Adopted.

Dr. Gurley moved that the appeal of Dr. R. J. Breckinridge against the Synod of Kentucky be made the first order of the day for Monday morning.

Rev. Mr. Ferguson doubted the propriety of making so many orders. So long as they had express trains on the track they should have the way clear; but if any other orders were made, they would be compelled to switch off.

Dr. Wm. L. Breckinridge suggested that it be made the order of the day for Monday at eleven o'clock. That would give them an hour to consider the subject of Domestic Missions.

Rev. Dr. Montfort said the report of the Committee on Domestic Missions was very important, and he hoped more time would be given to it than one hour.

The motion of Dr. Breckinridge was lost, and the motion to make the appeal case the order for Monday morning was agreed to.

Rev. Dr Krebs moved that the order of the day—the report of the Committee on Freedmen—be postponed with the view of resuming the unfinished business.

Rev. Mr Ferguson hoped the motion would not prevail, as it would look very much like leaving the colored brethren out in the cold.

Dr. Van Dyke desired to know whether the committee had seen the printed report contained in the correspondence between the Secretary of the Freedmen's Society and Dr. Adger of South Carolina; if not, he desired to move its reference to the committee.

The motion was declared out of order, and the motion to postpone the consideration of the report of the Freedmen's Committee was agreed to.

The unfinished business was then taken up, namely, the case of the Louisville Presbytery.

Rev. Dr. Thomas having the floor after recapitulating his argument, said: The Assembly has the power in this to step over the Synod of Kentucky, from the fact that in another case, it cited an offending Presbytery to appear before it, and in that case applying the principle of the rule in chapter five, section nine, they excluded the parties that were cited to appear at the bar of the next Assembly from representation until their case was decided. And here I have simply in mind the fact that the Assembly has twice exercised this right to pass over the intermediate judicatory and lay hold upon the subordinate judicatories. And I referred on the 728 page of the Digest to the answer which the Assembly gave to those who protested against the exercise of the right on the ground that the Assembly could not touch the Presbytery, except through the Synod. That was one of the points. The answer of the Assembly was that any supposed restriction of the right of the Assembly in a case of this kind is explained by the comprehensive nature of that section of Review and Control. Well, sir, I presume this will be admitted, and I pass on. I think I have shown, however, that if it be necessary, the Assembly has the clear right to pass over the Synod of Kentucky, and act on the Presbytery; but, then, I am met here with an objection to which I ask the particular attention of some of the brethren who have spoken to me on the subject. We admit the Assembly has the power to go over to the Presbytery of Louisville, but they say you must first cite them to your bar. I refer to page 720 of the Digest, where the Assembly resolves, first, to cite the Presbytery; and second, that a committee be appointed to investigate the case; and third, that as a citation on the foregoing plan is the commencement of a process involving the right of membership in an Assembly; therefore,

Resolved, That agreeably to a principle laid down in chap. v, section IX, of our form of government, the members of said judiciatory shall be excluded from a seat in the next Assembly till their case is decided.

The whole question lies here in a nutshell. The Assembly says that as citation on the foregoing plan is the commencement of a process, the difficulty on the minds of some brethren is whether a process can begin without citation. They take the meaning of this language to be that in all cases process begins with citation. I direct the attention of the house to the fact that that is very far from being the meaning of the Assembly. First, the Assembly choose a particular plan by which they can prosecute their case. Second, they affirm that on the foregoing plan, in the way which they have chosen to proceed, citation is the commencement of a process involving the right of membership. The plan they had chosen to pursue was to cite the offending Presbytery before the bar of the next General Assembly; and of course, in that plan it was the beginning of process. But there are other ways in which to begin a process, besides that of citation.

Moderator. The same reason and the same rule for exclusion applies in one case as in the other; for when the Assembly of 1837 cited the Presbytery to appear at its bar, and then said this judicatory shall be excluded from representation in the next Assembly, why did they do it? Was it because they were *cited to appear*, or was it because they were *on trial?* No man will contend that the real ground of their exclusion—the ground on which the Assembly had the right to exclude them—was the mere fact that they cited them to appear. No, sir, it was the far more significant fact that, being cited to appear, they were on trial, and being on trial they were under process; and that the principle which applies to an individual minister in his Presbytery, applies to the Presbytery in its Synod, or in the General Assembly; that until his case be decided it is at the pleasure of the house, according to the circumstances of the case, to decide whether that body shall retain its seat or not. We must inquire, then, in the next place, whether the Presbytery of Louisville is on trial on its records. Now, I will not repeat the remarks made last night indirectly on this subject, that review and control brings up all sorts of cases, from those of the least significance to those of the very highest moment; but I simply remark here that in any case of review and control upon the record, it will depend upon the magnitude of the offense and the character of the facts on the record whether the body whose records are reviewed be on trial or not. If it is simply a question how they spelled the word Presbytery, or some mere incidental oversight or neglect of a trivial matter, or irregularity of proceeding, we should not say they were on trial and should go out of the house. But if an extreme case comes up—if a case comes upon which, as I supposed last night, the Presbytery has avowed infidelity—has denied the doctrines of the Confession of Faith *in toto* and put it on record—I say, sir, that in view of the magnitude of the offense, when you sit in judgment on their records, they are *on trial*. In such a case as that, review and control brings up everything that an appeal could bring up and accomplish, and it is a question of the most vital character that is decided. Now, when you have them on their records, if it be a case of this magnitude and criminality, it is your duty to say to them, brethren, this is not an ordinary case; stand you on your trial until this case is decided, we do not condemn you unheard, but we do propose to investigate your case; in the course of the investigation to acquit you if you be innocent, and to condemn you if you be guilty; and until that sentence be reached, brethren, you must stand aside as unworthy to share in the duties and responsibilities of this higher court.

We tell these commissioners that they must be removed as incompetent, to use the language of this article, to sit in such a court and pronounce in such a case. If they are on trial, then they are under process from the moment that this Assembly passes the order for investigation.

For what is process? There are lawyers here who can tell what it is, technically, in law courts. It is the writ of the magistrate, perhaps. But a process in our ecclesiastical courts has not that narrow limitation of the statutory law. It is the simple English we are talking now—our mother tongue. Well, the process by which you secure a harvest of wheat, means, fencing in the field, plowing the ground, scattering the seed, gathering the harvest and putting it in your garner—then the process is complete. *Process* is that whole system of means from beginning to end by which a court reaches the ends of dicipline. I ask if the first step towards those ends be not the beginning of process? This Assembly might have taken another way. We chose to take this. If we choose to cite that citation it is the commencement of a process. If we choose to appoint a committee to investigate the records of a party, then the appointment of that committee with an order to investigate, is the beginning of process.

The constitution has already settled the rule, that when a minister is under process it shall be at the pleasure of the house whether he vote in any other case besides his own till his case is decided or not. (Chap. V. 9.) And the Assembly has decided that the principle of that rule applies to such a case as this. The Assembly applied the rule in such a case as this. The case is as plain as the light of day, and I do not mean in the use of that expression to allude to my friend, the gentleman from New York.

I come to consider the method by which the Assembly shall reach the ends of justice. It is indeed a summary method; yet sometimes short roads are the best. It was a very short method by which Pharoah and his hosts were put out of the house, when God moved upon the sea; a very summary process by which the lightning, fire and brimstone came down from Heaven upon Sodom and Gomorrah; and if you think the cases too far-fetched, then it was a very summary process by which, in the presence of a Church Court in Jerusalem, Ananias and Sapphira were sent to the Supreme Court in Heaven, to answer for their crimes. The speediest remedies are commonly the best. But what is this remedy? We propose that the Presbytery of Louisville be dissolved. Can any man question, in view of the decisions I have presented, that this Assembly has a perfect right to dissolve the Presbytery? But brethren will say, though we have the power, it is inexpedient to exercise it. In regard to that I have simply to say that the justice of the rebuke in this case can hardly be questioned. Dr. Humphrey, if I understood the tenor of his brief paper, admits substantially the guilt of the parties, the iniquity of the action and the criminal character of the whole proceeding. Such a paper, such acts, such a pertinacity of rebellion, such systematic organization of conspiracy for the overthrow of the Church of the living God, deserve rebuke, if ever iniquity deserved rebuke from men. There is not only justice in the course proposed, but necessity for it. Mr. Moderator, when mortification ensues in some part of the body, remote from the heart and the vital centers, then, I tell you, a wise surgeon is not long in laying hold of the amputating knife. The apostle Paul, in the Church of Corinth, was not long in purging out the old leaven. He did not give them two months notice, I think, sir, much less refer them to the next General Assembly. When he wrote his sacred epistle he had to bathe his page with tears of sympathy for them, because in the energy of their zeal to do right, they had instantly obeyed his apostolic injunctions. They amputated the gangrened limb that they might save the body. I know the impossibility of foreseeing the future. I know in these changing, troublous times, the wisest statesman may fail when he undertakes to predict what sixty or ninety days may bring forth; yet we must act accord-

[*Continued on 4th page.*]

Free Christian Commonwealth

Rev. STUART ROBINSON, Editor.

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What is to be Done?

The astounding outrages and follies perpetrated by the Assembly at St. Louis will, no doubt, already have called forth this inquiry from thousands of earnest Presbyterians in every part of the country. Those of them able to comprehend the great principles involved—as they observe in the reports of debates, the insolent airs of vulgar ignorance in "the majority of four to one;" the patronizing condescension with which it graciously bestows upon inferior courts, office-bearers and Christian people as "privileges," their inalienable rights, or kindly "restrains" them, as that profoundest of radical Solons, Dr. Gurley, expresses it: the singular glosses which the "might makes right" theory puts upon a Presbyterian Constitution; and the apparent unconsciousness of any covenant obligation implied in the usages, laws, previous interpretations, or original constitution of the church, which a "majority of four to one" should respect;—all such will in profound grief cry, "What is to be done"? And hardly less so the plain unlearned Christian people will exclaim, "What is to be done"?—When they learn, to their astonishment, that without any charge brought, or trial had, or hearing permitted, men whom, as ministers, the whole church acknowledges as her earnest and honest, even though too zealous advocates, are not only defamed by the General Assembly as "slanderers of the church," but their very presence in a Presbytery shall *ipso facto* dissolve the Presbytery! When they learn, moreover, that the General Assembly, over the head alike of Synod, Presbytery and congregation, undertakes, if not to *create* Ruling Elders, yet at least to transmute *bogus* Elders into genuine officials—and force them as "a legal tender" upon all lower courts and pastors, and therefore, that the church property of every congregation in the land is held subject to the General Assembly who may at any time make Elders of any miserable clique in the church that conspires to steal its property. When they learn—but we need not now recite the long list of disgraceful enactments, as we have another object in view.

In answer to the inquiry—What is to be done? We, for the present suggest, with all deference, rather what ought not to be done—leaving the positive answer to be made by those friends of the truth who have already conferred together, and suggested preliminary action. A conference of ministers and ruling elders has already been held at St. Louis, which will no doubt issue an address to our Presbyterian people, and call for a conference during the present Summer. We refer our readers to that address when it shall appear for an answer to their inquiry.

Meantime there are three things which the earnest and true friends of the truth should determine at once should not be done. First. There should be no flying off from the church, in disgust, as though the General Assemblies at Pittsburgh and St. Louis were the church, instead of the body of the people of God organized under our glorious constitution. Constitutional liberty is not a phantom, nor the work of the political fathers of 1789 a hoax, because a faction may have usurped and exercised powers in face of the constitution. Let our friends stand fast till we can all confer together, and when we act, let us, as far as possible, act together. Second. There should be a careful watch against the danger of quietly acquiescing and becoming familiar with the yoke of ecclesiastical usurpation. This is the greatest danger both in Church and State in such times as these; and the strategy whereby usurpers expect to win, is by shocking men at the very boldness and infamy of their usurpations by way of rendering themselves popular, though graciously coming down a little from their first high claims. Let no man permit himself to grow less determined by reason of the delay needful for concert. Third. There should be an instant determination to recognize no longer any middle party—half-way men—self-styled conservatives that "palter in a double sense." This is a step now vital in Kentucky. It is those middle-men, vainly dreaming of some compromise and concord between Christ and Belial, that have brought us to the verge of ruin in Kentucky The great body of them, indeed, have honestly mistaken duty through too charitable judgments of the unscrupulous radicals who have now so heartlessly betrayed them. We have therefore no quarrel with them about any thing that is past. But no man who acknowledges his obligation to bear witness for truth, to defend the immunities and privileges of Christian freemen against usurpation, can afford any longer to waste time and strength in trying to lug along what are called "weak-kneed" brethren, or to dally with a middle party. That party has already been imposed upon and used to our injury by treacherous scheming strategists long enough, and it is too much to ask of us to vote *non liquet* any longer. If they cannot see that their hesitancy has been unwise, exposing both themselves and us to extreme peril, and that the time is now come for decided and uncompromising action, they are too slow to be of any service to the defenders of truth—let them cast in their lot with the enemy. We solemnly charge the ministers, churches and people in Kentucky, not longer to allow themselves to be deceived. The issue should be squarely made, a peremptory decision called for—submit or not submit to the usurpations of the St. Louis Assembly. The usurpers in their folly have made the issue for us in Kentucky a very direct and simple one. Let the friends of truth everywhere demand a decision.

How the Doctrinal Errors of '61 have led to the Overthrow of Liberty in the Church.

We began in a recent number to trace historically the growth of the present enormous usurpations by the General Assembly, but have been prevented until now from resuming our work. We ask the careful study of these historical statements by our readers if they desire to understand fully the enormous errors which now so shock all intelligent Presbyterians. For it is an utterly hopeless task to attempt to make those understand the present subversions of our constitution, who persist in ignoring the subversions of great truths of Scripture out of which the former have logically followed.

We have shown the errors of doctrine involved in the "Spring Resolutions of 1861." The first fruits of these errors appear in a deliverance on the state of the country, to declare in the name of Christ that it is the duty of the national government to prosecute the war to the last extremity; and the duty of all men to sustain the Federal Government in so doing; to denounce the sin of those who act otherwise; to charge anonymously certain persons as disturbers of the Church; certain office-bearers and members as faithless to all authority "human and divine," and to exhort all that "not only their outward conduct" but "their heart, their temper, and their motives toward the government be carefully examined." The whole as it will be seen proceeding upon the assumption of the false doctrines of 1861; and thereupon proceeding actually to dictate its military policy to the government and their political duties to the people; and to reckless denunciation—without even inquiry, much less trial, and without even naming the parties of "office-bearers and members" in a manner that might have justified the charge against the Assembly of calumnious assault by those so denounced had they been named.

The effect of the false doctrines and false views of the functions of the church enunciated in 1861, appeared in the Assembly of 1863, in the singular spectacle of a discussion extending through several days in this venerable highest court of the Church, on so trifling a question as the raising of a flag on the house in which it assembled, and a solemn order on the subject passed by a large majority, ascertained by a formal call of the ayes and noes! We may therefore pass without special note its other deliverances, and proceed to the very remarkable outgrowth from the errors of 1861, which we find in the Assembly of 1864. For now the effects of casting the Church upon the current of popular political sentiment and making her a party to Cæsar's strifes and divisions becomes very apparent. The fruits of the "Spring Resolutions," confounding the distinction between the secular and the ecclesiastical powers, appear:

First, in the spirit pervading some of the minor proceedings of the body, such as the adoption of a motion substituting thanksgiving for fasting and humiliation, the motion being made on the ground that an order for the latter would impair public confidence in the success of the army, produce a fall of the government stocks and embarrass the administration at Washington. Also in a call to public humiliation and repentance for the sin of having supported at political elections, "candidates of known unfitness in preference to those who have every mental and moral qualification." Also in a deliverance calling upon the people to seek an amendment of the civil constitution of the country which would be utterly subversive of the great principle of non-ecclesiasticism on which it rests, making the Constitution a Theological creed affirming the great first truth of the gospel; and at the same time asserting the bald Erastian heresy that the *revealed will* of the Lord Jesus Christ is the supreme law of the land, directly in the face of the scripture, as interpreted by the symbols of the Scottish reformation, and by the fathers of the Westminster Assembly, that "the *political or civil power is grounded upon the law of nature itself*, and for that cause is common to infidels with christians." (see Gil. prop. No. 44.) Whereas "the power and policie of the church should lean upon the word of God immediately as the *only ground thereof*." (Second Book Discipline, part 11.) Our Confession of Faith expressly denies to the civil magistrate any "administration of the word." But manifestly, if the revealed will of Christ is the supreme law of the land, then the civil constitution must of course appoint a court with powers to interpret the revealed word as the supreme law of the land. Besides, as already cited, the Confession expressly declares that infidelity or difference in religion doth not make void the magistrate's just and lawful authority.

But, secondly, the action of the Assembly of 1864, in the case of the Pine Street Church and Dr. McPheeters, in a very decided, though indirect manner, enunciated the heresy correlative to that of the intrusion of the church into the secular sphere,—namely, the intrusion of the secular power into the spiritual sphere. For, in the action on that case, the Assembly endorsed the conduct of those who not only submitted to, but *procured* the constitution of a Presbytery and Synod under a military oath dictated by a Papist, and in effect condemned those who resisted the impious usurpation. Nor is there reason to doubt that the Assembly of 1866, if it reach the case, will still more directly endorse, and even undertake to *enforce* the duty of submission to a court of Jesus Christ, thus wearing the collar of Cæsar.

And, thirdly, the Assembly of 1864, in its extraordinary deliverance on slavery evinces how thoroughly the body had become permeated with the leaven of the secular theories and conceptions of the church, and the prevailing political passions of the hour. The tone and spirit of the paper is, throughout, that of the current secular philanthropism of the times rather than the tone and spirit of the "revealed word," upon which, as our fathers taught, every deliverance of the church must immediately rest. Its language and argument is that of the secular philanthropism of the age, which knows no Christ. Neither the name of the Lord Christ nor any title of God expressive of his covenant relation to the church, nor a single proof from the word of God is contained in the whole deliverance. The testimonies of the church are, by garbling them, perverted. The doctrine of the sinfulness of slavery is affirmed in the very terms and spirit of the infidel philanthropism against which the Assembly of 1845 testified. The acceptance of this dogma is in effect made a term of communion, in face of the declaration of 1845, that to set up such a term of communion, must operate practically as a dissolution of the church. And worse than all, that is declared to be "a guilt" and a "sin" which has beyond question been allowed to exist without challenge in the church of God from its first organization till now; that which Patriarchs and Prophets not only tolerated, but enacted laws for and practised, and which, in more aggravated form than as it has existed in our age and country, Jesus Christ and his Apostles allowed to exist in the church without rebuke. Such, and so rapid, was the luxurious growth from the germinal era of 1861.

We have entered into this detail that you may have more distinctly before you the platform of "doctrine, loyalty and freedom," which the Assembly of 1865 proceeded to embody in concrete form, and actually ordered to be enforced, as practically the law of the church, by its several enactments making these deliverances on "doctrines, loyalty and freedom" a test whereby—First, the Board of Domestic Missions shall try all applicants for aid from its funds, turning off the self-denying missionary whose conscience revolted at the monstrous usurpation involved in such a test to starve with his wife and little ones, or give up his covenanted work. Second, the test whereby the inferior courts should try all ministers coming to them from regions of the church supposed to be not in sympathy with these doings of the Assembly; no matter how true in their adherence to the standards of our faith, how earnest in their zeal for the salvation of souls, how pure in their walk and conversation, or how apostolic in spirit and labors for the church.—Third, the test whereby the Pastors and Sessions shall try the humbled soul who comes to them longing for communion with the people of God, failing to stand which test they shall debar him from the church, no matter how thorough his conviction of sin, how clear his apprehension of Jesus Christ, and sincere his acceptance of and trust in Him for salvation.

It is this practical embodiment of the errors of the preceding Assemblies, and thus formally requiring an acceptance of these errors as a condition of ministerial and private fellowship with the church, which distinguishes the acts of 1865 by a "bad pre-eminence" over all that preceded.

We owe an apology to the children for again depriving them of their usual column. We have in type an original story written for the children, which we promise to publish next week even if we have to leave out some of these long speeches and protests which so crowd our columns this week.

The General Assembly adjourned *sine die* on Monday, June 4th, after a protracted session of fifteen days.

Remarkable Confession of a Distinguished Scotchman.

We have been very much struck with the honest confession of Dr. McCosh, to the effect that after the century of slavery agitation in Britain, the result has been a failure to work out the problem of the negro elevation. We are gratified to find the distinguished Scotchman sustaining so completely the view which we have been pressing upon public attention—that if the negro is to be elevated the people of the South alone can do it. Our first practical inference is, that therefore it is the true Christian economy, instead of sending emissaries from the North to steal churches, as in the notable case of the African Church in Charleston, S. C., Northern Christians should send their funds to the impoverished ministers of the South and support them in the work of negro evangelization.

Dr. McCosh said to the Assembly:

"What were we to do with the colored population? This was a question in which the people of Great Britain feel a deep interest. We have accomplished a great work, but there was a greater work than we had yet had before us. He spoke as a man who had had occasion to study this subject. The great problem was, is the white man ever to improve the black man? He was sorry to say that Great Britain had not settled this problem, altough she had attempted it.

"Said the speaker, I tell you this frankly. We have had a race of the noblest savages in the world—the New Zealander. I believe we meant to do justly, but we have never been able to do so. We have been at war with them—a most painful war—although I hope it is now terminated. We have not been able to elevate the lowest races. Then we have had our own slaves in Jamaica, and late events there show that we have not been able to settle the question. Now, I say that the people of Great Britain, and the civilized Christians of the world, are looking to you to see how you will settle this question. Are you to go on and prosper yourselves, and let the black man die out? Are you to realize that most awful theory of Darwin, that the higher races must advance and the lower races must be extinguished. That is a dark and gloomy view, and I cannot accept it. I cannot believe that the white man is to prosper and the black man is to fade away little by little until he is extinguished. My hope in God is that you, with an energy that characterizes all your efforts, will settle that question, and that the churches of Christ may meet in harmony and union for that purpose. I am not speaking of politics on this question, but I am speaking of what steps you are to take to train these people to industry; to increase their intelligence and make them, in some measure, equal to you, not merely in civil matters, but equal to you in general advancement. Your State must take such a course; but the State cannot do it alone. It must be done by your churches. And I confess I have been looking to you—to the old Presbyterian Church—as taking the initiative in this matter. You have an influence, and ought to have.

I must say I would like excessively to see the North and the South closely united in this work for the North to say we have spent all this for the sake of the black man; and let the South say we are friends of the black man. And I would like to see this union consummated between Christian men North and South, for then I believe you would be brought more closely together in the work to which I trust you will devote yourselves, and you will have the best wishes of the best men in Europe."

Union of Old and New School.

Just to let our readers see how the "other branch" view the probabilities of a union with the Old School, we publish a few extracts from a letter to the "Evangelist," written by a member of the New School Assembly at St. Louis. The letter is dated May 21.

Dear Evangelist:—After Dr. Parker's address at the union meeting of the two Assemblies, the Other Branch will have to be called the "Other Scion;" For, in one of his happiest efforts, the Doctor has so shown how the grafting may be done, according to the art of promology, that you can almost hear the woody fiber of the two scions knitting into one tree. As I promised to give you some account of what we called colloquially "the Old School," I hasten to do it, lest, by the rapid progress of events, another week should dawn upon neither Old or New, but upon One United Church.

After giving a graphic account of the way in which the Old School manages to get rid of men who stand up for principle, viz; the Declaration and Testimony men, the writer refers again to the prospect of speedy re union.

The union of the two branches is a much more pleasant subject than this pugilism. Dr. Nelson's speech, as our delegate to "the Other Branch," was modest in its expressions for union and firm in statement of our main positions. The response of the Moderator, if it prove to be sustained by the Assembly and especially by the whole Church, makes the question of union to be only a question of preliminary arrangement. * * * Following these pleasing expressions of cordial feeling came the practical proof that our brethren do mean what their Moderator said. A committee was appointed to meet a committee from our Assembly, for the purpose of making arrangements for union services together. And the result has already been that long expected sight, the two bodies in one house, their two Moderators on the same platform, and together uniting in conference and prayer to the one God and Saviour of both. The particulars of this meeting you will of course publish in another place. It is sufficient to say that the spirit of the meeting was excellent and rose to the very end, until it was suggested, through the Moderators, by a member of the Other Scion that all who were in favor of union should rise; the whole great congregation, on the floor and in the galleries, stood and sung, in such volume and harmony as only the spirit of unity and the bonds of love can inspire, the grand old ascription "Praise God from whom all blessings flow." This is the beginning of the end. The word is spoken. The spell is broken. The breach is made in the wall. This flock and that flock will shortly be one fold.

It will be seen by this letter, and by what was afterwards done in both Assemblies, in each appointing a Committee of *fifteen* to arrange the terms, &c., that a union of the two bodies is only a question of time; and as far as we can see, there no longer exists any reason why the two should not be one. Our middle ground men, who have sneered at the idea of such an event taking place, and who have declared that if it should take place, they will unite with the Dutch church or Congregational church, may begin, as soon as they please, to look out for their new ecclesiastical home.

For the Free Christian Commonwealth.

Rev. Wm. M. Ferguson and his Expulsion from the General Assembly.

We see by the published proceedings of the General Assembly that Rev. Wm. M. Ferguson from the Presbytery of Zanesville, Ohio, has been expelled from the house on account of a letter written by him to the Ohio *Statesman* in relation to the spirit of the Assembly, and for characterizing the speech of Hon. Samuel Galloway, of Ohio, as vulgar, foolish and fiendish.

Mr. Ferguson is a sprightly writer, and in former years wrote for the Philadelphia *Presbyterian* as its General Assembly correspondent. He has a decided defect as a letter writer now-a-days, in calling things by their right names, which was doubtless the cause of his expulsion. We ourselves heard the speech of Mr. Galloway, and we do not hesitate to say that it was one of the most disgraceful exhibitions of vulgar bafoonery we ever witnessed or listened to in our life, even in a political meeting. The contortions of body described in Mr. Ferguson's letter, if they could be described at all, were as true to life as it is possible to picture such a scene; and it would have been utterly impossible for Mr. Ferguson to have attempted to give any thing like a truthful discription of the speech, or the antics of the man who made the speech, without saying what he did. We have read the letter of Mr. Ferguson in the *Statesmon*, and from the best of our recollection he makes no untrue statement, unless it be the omission of the word "if" in the part of Mr. Galloway's speech where he referred to Dr. Boardman and the communion table. As to the spirit of the Assembly it would be utterly impossible to call it by a name to severe; for in no body of christian men did we ever witness such an exhibition of blood-thirstiness and intolerance. The spirit of revenge seemed marked so distinctly upon the countenances of the "majority" that it was impossible to mistake it. Their utter disregard for law or constitutions was so manifest and open that they acted without reference to either the one or the other. Of course there were exceptions even amongst the majority, but they were born along as if by an out-sweeping tide which they had not the manliness or courage to resist. And some of them stated privately that the course of the Assembly was all wrong, but they had to endorse it or they would be deprived of their places and be turned out of their homes.

To a man like Mr. Ferguson, impulsive, bold, fearless, and utterly despising the spirit which ruled in the Assembly, the letter which he wrote to the *Statesman* was the most natural thing in the world. As a lobby member, we heard some of Mr. Galloway's radical brethren lamenting his speech—that it was low and undignified—that it had done their cause damage, but that they would get over it, that he was excited and said things he ought not to have said &c. As to Mr. Ferguson's intimation that there was an impression on some minds that Mr. Galloway had taken "a drop too much,"—that was the most natural impression which could be formed, judging from his manner and the contortions of face, the turning in of his eyes and the low wit in which he indulged from first to last. We made the same remark to a friend by whom we were sitting, and that friend replied that such was not the case, as he was understood to be a temperance reform man.

We hope you will publish a full account of the expulsion of Mr. Ferguson, which shows most plainly that no man who disagrees with the majority will receive from them either mercy or justice.

Dr. Gurley's Substitute.

Dr. Gurley offered the following resolutions as a substitute for the report of the Committee on the Presbytery of Louisville, and the resolutions substituted by Dr. Humphrey, which we re-adopted by 197 yeas to 37 nays.

Resolved 1. That this General Assembly does hereby condemn the Declaration and Testimony as a slander against the church, schismatical in its character and aims, and its adoption by any of our Church Courts as an act of rebellion against the authority of the General Assembly

Resolved 2. That the whole subject contemplated in this report, including the report itself, be referred to the next General Assembly.

Resolved, That the signers of the Declaration and Testimony and the members of the Presbytery of Louisville, who voted to adopt that paper, be summoned to appear before the next General Assembly and answer for what they have done in this matter; and that until their case is decided they shall not be permitted to sit as members of any Church Court higher than the session.

Resolved, That if any Presbytery shall disregard this action of the General Assembly, and at any meeting shall enrol entitle to a seat, or seats, in the body, one or more of the persons designated in the preceding resolution and summoned to appear before the next Assembly, then that Presbytery shall *ipso facto* be dissolved; and its ministers and elders who adhere to this action of the Assembly are hereby authorized and directed in such cases to take charge of the Presbyterial records, to retain the name and exercise all the authority and functions of the original Presbytery, until the next meeting of the General Assembly.

5. Synods, at their next stated meetings, in making up their rolls, shall be guided and governed by this action of the General Assembly.

The one "Faithful among the Faithless." A bid for more Abolition Patronage.

An outsider attending the sessions of the General Assembly, at St. Louis, in a letter to the Louisville Daily Courier, of June 1st describing what he saw in that body speaks thus of Rev. H. H. Allen, editor of the Western Presbyterian:

"The only Kentuckian who appears to be in favor and full fellowship with the *Abolition Radical* is the Rev. Mr. Allen, the editor of the Western Presbyterian, in your city. He is in full fellowship, sits with them, will laugh when their motions pass, conclaves with them and is taken into full fellowship. Dr. M'Lean, 'the Thadeus' said in the parlor of the Southern Hotel this morning 'We ought to stand up to Allen, he is faithful among the faithless.'"

Proceedings of the General Assembly of the Presbyterian Church at St. Louis.

NINTH DAY—AFTERNOON SESSION.

The Moderator called the Assembly to order.

The Rev. Dr. Gurley, from the committee to convey salutations from the Assembly to the New School Assembly, made the following report:

The committee appointed to convey the salutations of this body to the Assembly holding its sessions in the First Presbyterian Church, report that they have discharged the duty assigned them; that their reception by that Assembly was eminently kind and fraternal; and that the response made to the salutations of this Assembly was of a character suited greatly to encourage the hope that at no very distant day these two branches of the great Presbyterian family will become organically one; all which is respectfully submitted.

P. D. GURLEY,
LINCOLN CLARK,

Mr. Galloway moved that the judicial case in regard to the Synod of Kentucky be recommitted to the Judicial Committee, with instructions to report a fuller and clearer statement of its nature and condition, and especially to describe the parties in the case.

Dr. Gurley hoped the motion would not prevail. There were two appeals and complaints. One originated in the Synod of Kentucky; in the other Dr. Breckinridge introduced a paper touching the status of gentlemen who had signed the Declaration and Testimony, which he had urged the Synod to adopt. They refused, and from that decision he appeals. There can be no doubt but that Dr. Breckinridge and the Synod of Kentucky are the parties in that case. There is another appeal or complaint. Mr. McMillan appeals from the Presbytery of Louisville, in the Synod of Kentucky, and the matter of that appeal is very much the same as is contained in the paper of Dr. Breckinridge. The Synod towards the close of its session, after they had refused to adopt Dr. Breckinridge's paper, and after they had adopted a paper of their own on the same subject, took up this case and deferred adjudicating it until the next meeting of the Synod. Dr. Breckinridge appealed from that decision. The simple issue in this case is between Dr. Breckinridge and the Synod. The Judicial Committee has thought that the parties in this case are manifestly the Synod of Kentucky and Dr. Breckinridge, and that the Presbytery of Louisville has no connection with the issue now to be tried. Their case is still pending before the Synod of Kentucky.

Mr. Galloway said that was a clear statement, and if it had been made sooner it would have saved much speaking. He thought, however, the case should be referred. The issues involved were substantially the same. The offending party was the Louisville Presbytery. Dr. Breckinridge desired to have the Synod of Kentucky visited with proper condemnation for not acting as they ought to have done. His sympathies were with Dr. B., but they had had about enough of Kentucky before the Assembly, and he wanted to dispose of one case before they took up another. He believed, if the report of the committee in reference to the Louisville Presbytery was adopted, the house would be satisfied.

Dr. Boardman said there was another consideration why the report of the Committee on the Louisville Presbytery should first be taken up, viz: That in all deliberative bodies, questions pertaining to the personal rights of the members of the house had precedence.

Dr. Breckinridge asked to be permitted to make a personal explanation.

The Moderator decided that he was not in order, not being a member of the Assembly.

Dr. Breckinridge remarked that the Moderator had a singular facility of deciding one way at one time and another way at another time.

Rev. Dr. Anderson, I rise to a point of order.

Dr. Breckinridge. *You* rise to a point of order!

The Moderator stated that he had already decided that Dr. Breckinridge was not entitled to the floor.

Dr. Breckinridge. Well, sir, when I am browbeaten in the Assembly, first by the Moderator, and then by a traitor, I have nothing more to say.

The Moderator, I should have made this decision in respect to any other member.

Mr. Day moved that Dr. Breckinridge be allowed to make his statement. It was due to him on account of his age and reputation that he should be allowed to state his objections at being thus turned out.

The Moderator. There is no disposition to turn him out. The question is simply on instructing the committee on certain points.

Mr. Day. I meant by turning him out, turning him over.

Rev. Dr. West inquired whether or not Dr. Krebs ought to be in the chair.

The Moderator stated that if the Assembly were sitting in a judicial capacity, Dr. Krebs would occupy the chair.

Rev. Mr. Grimes said ordinarily he would vote for the motion, but as Dr. Breckinridge had insulted the Moderator and then branded one of the members as a traitor, he should oppose it, believing the dignity of the body required it.

Dr. McLean said no one desired to hear Dr. Breckinridge more that himself, and by referring this to the Judicial Committee, they by no means put an end to this matter; it was simply a matter of convenience. They were now in a position to go on with a report of the committee, and when that was disposed of they could take up this case and finish it.

Rev. Mr. Ferguson felt that they should not grant Dr. Breckinridge, with all his dignity, power and greatness, a hearing on this occasion. If brethren were very anxious to hear him, they could hear him from the steps of the church. He made a motion this morning that they should not hear him in the half hour that they did. It was through the courtesy of the house that he spoke, and he thought that he transgressed on their patience.

Rev. Dr. Anderson. I rise to a privileged question. I, sir, when the Moderater was informed by a person not of this body that he had a facility in deciding first on one side and then on the other, rose to a point of order, and the point of order I aimed to make was, that our Moderator could not be insulted, either by a member or by one who was here as an appellant. The answer to that was a repetition of the insult to our presiding officer, and the application to me of an epithet which I will not bear. I was called a traitor. I stand here, sir, to say—and I wish to be heard by every person in this Assembly—that I here pronounce that statement as false and slanderous.

The Moderator. I am requested to state on behalf of Dr. Breckinridge that he wished to make a personal explanation. The vote was taken and the motion to permit Dr. Breckinridge to make a personal explanation was lost.

The Moderator then vacated the Chair. Dr. Krebs took possession of it, and the judicial case in regard to the Synod of Kentucky was taken up, and the record and sentence appealed against read, viz: The decision of the Synod of Kentucky, in refusing to consider the signers of the "Declaration and Testimony" as incompetent and disqualified to sit in Synod, because of having signed that paper.

The complaint and appeal thereon by Rev. R. J. Breckinridge and others was read as follows:

IN SYNOD AT LOUISVILLE, KY.,
October, 1865.

This appeal and complaint of Robert J. Breckinridge and others, against the several acts of the Synod of Kentucky, in the matters appearing on the records of the Presbytery of Louisville at its recent session, and in matters contained in a certain printed and published paper, entitled "Declaration and Testimony," &c., is for the purpose of bringing before the General Assembly of the Church all the acts and doings of the Synod of Kentucky, and the Presbytery of Louisville, and the makers, signers and publishers of the said "Declaration and Testimony" in the premises, in the fullest and most ample manner, that all the subjects, and all the parties be brought before the said General Assembly. And the object of doing this is, that the General Assembly may redress the wrongs done, and the neglects of duty deliberately committed by the said Synod, and by a casual majority of said Presbytery—and that it may censure, as its righteous judgment may deem proper, the sinful acts of the parties brought before the Synod by a minute proposed to it by the said Robert J. Breckinridge, and rejected by the Synod, in part by the votes of the parties engaged. And the reasons of this appeal and complaint, are the same reasons stated in the paper above mentioned of Robert J. Breckinridge offered to the Synod, together with the further reasons that the purity, peace and continued prosperous existence of Presbyterianism in the bounds of the Synod of Kentucky demands the early and effective interposition of the General Assembly, in the way of direct action both upon the individual office-bearers, who are in avowed contempt and rebellion against the authority of the Church and against its teachings, and upon Church courts who not only neglect to censure such rebellion, disorder, heresy and schism, but openly connive at the existence thereof; wherefor this appeal and complaint in open Synod.

Signed by
ROBERT J. BRECKINRIDGE,
And others.

[The other Appeal and Complaint of Dr. R. J. Breckinridge and others, against the Synod of Kentucky, for postponing Mr. McMillan's Complaint until next meeting of Synod, is so much like the above, in every way, that we do not think it worth while to publish both. Ed.]

In response to inquiry of Dr. Humphery, the Moderator pro tem. decided that the Synod of Kentucky could be heard as members of an inferior judicatory. After reading of the papers in the case according to the Book of Discipline, the Moderator pro tem. said the next stage in the proceedings was to inquire who were the parties. There being no response, Dr. Stanton came forward and said there was an arrangement on the part of the appellant, by which he should speak first. He continued: I have concluded, sir, myself, to take no part in the case for reasons which may appear obvious.

The session was closed with prayer, and the Assembly adjourned until 9 o'clock to-morrow morning.

TENTH DAY—MORNING SESSION.

Tuesday, May 29, 1866.

The Assembly met at 9 o'clock A. M., and spent the usual half hour in devotional exercises.

The regular session was opened with prayer by S. P. Houser, M. D.

Rev. Dr. West moved to amend the minutes so as to make it appear that under the decision of the House, as to who the original parties were of the judicial case from Kentucky, Dr. Breckinridge declined to plead.

Rev. Dr. Nevius moved an amendment to the amendment. He happened to remember the very words with which Dr. Breckinridge closed his speech, which were that on account of the form in which this matter was presented before the Assembly, his self-respect would not permit him to argue the merits of the case. He (Dr. N.) moved to insert that he declined to argue the case on account of the form in which it was presented before the Assembly.

Rev. Dr. West desired that this house should not assume the responsibility of driving Dr. Breckinridge from

the case, as the minutes would seem to imply.

Mr. Swallow moved that the amendments be laid upon the table. The motion was lost.

Mr. Swallow then said he hoped the motion to amend would not prevail. He thought if they assigned all the reasons given by Dr. Breckinridge why he did not prosecute the case, they would have to assign eight or ten which were given in the course of his speech.

During the remarks of Mr. Swallow, a demand was made for the question, whereupon a member arose, and said he hoped the speaker would not be interrupted, as he was talking as good sense as any other gentleman.

Mr. Swallow resumed his remarks, saying there were certain gentlemen who took it upon themselves to be the teachers of the Assembly—that he had said all that he desired to say, and he was perfectly willing those gentlemen who were so fond of teaching the Assembly, should go on and instruct them to the end.

Dr. McLean desired to know if it was in order to refer the matter to a committee. He moved to refer the matter to prepare a minute.

Mr. Day thought the clerk was able to keep the minutes properly, and he thought the minute in the case was proper. It did not attempt to assign all the reasons, and the reasons could not be assigned without a reference to the whole speech. It would not be fair to omit one reason and insert others, and it was not proper, he thought, to give all the reasons that Dr. Breckinridge gave. The old gentleman was in some respects under excitement, and they might well pardon him; but he said things which the speaker thought were censurable, and if compelled to do so, he should be obliged to vote to that effect.

A motion was made for the previous question, which was agreed to.

The question then being on approving the minutes as read, a vote was taken and the minutes approved.

Dr. F. T. Brown chairman of the committee on the Narrative on the state of Religion, presented a report.

Dr. Lowrie, from the Committee on Bills and Overtures, reported, Overture No. 14, being papers from the Presbyteries of Richland, Marion, and Chicago, and Rev. F. D. Harris and Rev. S. J. Baird, D. D., relating to the subject of judicial cases.

The committee recommended:

1. That the General Assembly appoint a committee of three ministers and three elders, to whom shall be intrusted the duty of preparing a new Book of Discipline, to be submitted to the General Assembly at such time as its careful and thorough preparation may require. The reports of former committees of the General Assembly on this subject to be placed in the hands of this committee for their consideration.

2. That in the meantime, until this new Book of Discipline shall have received the approval of the Presbyteries, provision be made for the adjudication of judicial cases by the General Assembly by sending to the Presbyteries for their approval or otherwise the following overture, viz:

First—The General Assembly, on the nomination of its Standing Judiciary Committee, may appoint from the members of the Assembly a Judiciary Committee or Judicial Commission, as may be required, to try, during its sessions, the judicial cases which may come before the Assembly, their proceedings and decisions to be subject to the approval of the Assembly.

Second—The Judicial Commissions shall, in their proceedings, be governed by the constitutional provisions respecting judicial processes, in so far as they may apply.

Third—The change in the method of trying judicial cases heretofore in use, which this overture proposes, if adopted by a sufficient number of the Presbyteries, shall govern the General Assembly of 1867, and its successors.

Dr. Humphrey moved to amend the report by substituting the word "advice" for "approval," in line six of paragraph two, so that Presbyteries may understand that the overture was sent as instruction, and not for adoption as a part of the Constitution.

The amendment was not agreed to, and the report of the committee was adopted without amendment.

Dr. Lowrie, from the same committee, reported Overture No. 15, being a request from the Presbytery of Lake, inquiring "What is the duty of a Church Session in a case where a member of the Church has married, and continues to live with a person who has been divorced from a husband or wife, on grounds other than of adultery or wilful desertion?"

The committee recommend the folwing answer: The Assembly cannot give any other answer to this question than that contained in chapter xxiv, section 6 of the Confession of Faith, and chapter xix, verse 9 of the Gospel of Matthew, nor does it think any further answer necessary.

The report was adopted.

Dr. Lowrie, from the same committee, reported Overture No. 16, as follows:

At a meeting of the Committee of Church Extension; within the bounds of the Presbytery of Potomac, held May 3d, 1866, it was, on motion of Rev. A. A. E. Taylor, unanimously.

Resolved, That this committee overture the General Assembly to transfer the property of the Metropolitan Church, in this city, to the Presbytery of Potomac, to be by said Presbytery applied to the purposes of church extension in this city.

We recommend that this matter be referred to a committee of three members to report to the next General Assembly.

Dr. Thomas read the report of the standing committee on Domestic Missions. The report was accepted and placed on the docket for consideration. The paper is too long for us to publish at present, and we only publish the recommendations of the committee as follows:

1. That the Freedmen's Committee be dissolved, and its work transferred to the Board of Home Missions.

2. That the seat of the Board of Home Missions be removed to Cincinnati, as soon after the rising of the Assembly as it can be done without prejudice to vested interests in Philadelphia or elsewhere.

3. That the Board, at its first meeting in Cincinnati, be directed to revise our whole system of Home Missions, and devise and adopt such measures as shall redouble the efficiency of our operations.

4. That a committee be appointed by the Assembly to secure a new charter for our Board of Missions from the Legislature of Ohio.

5. We recommend, that during the coming year, all the Churches under the care of the General Assembly endeavor to raise for this Board a sum amounting to at least fifty cents for each member; and we most earnestly recommend that each pastor and stated supply shall not only see that an opportunity is afforded every member of his Church to contribute, but that he also urge upon every member the duty of bearing his part.

The Assembly determined to meet hereafter at 8½ o'clock in the morning and adjourned at 6½ o'clock P. M.

Dr. Thomas. I move a postponement of the unfinished business of yesterday in order to take up the consideration of the Committee's report upon the case of the Presbytery of Louisville. My intention is to bring the house to an early decision upon what I consider the vital question of the Assembly. We had been considering that report, and its consideration was arrested, because of the wish of the largest part of the house, to hear an appellant connected with the case which had just been before us, supposing that the discussion of that case would throw some light on the report. It is very obvious to this house, from the proceedings of yesterday, that we are not to look for light from that quarter, and therefore I hope this house will resolve to take up the main question—that question, which, when decided settles all these questions, and the whole principles upon which these matters are to be settled. I hope the house will postpone this interjected matter, and take up the main question.

The motion of Dr. Thomas prevailed.

The Moderator stated that Dr. Wm. Breckinridge was entitled to the floor, his speech having been interupted by the hour of adjournment.

Dr. W. L. Breckinridge. Mr. Moderator: Allow me to say, if you please, before I proceed to any more serious matter, that I have been taken to task a number of times since I had the privilege of addressing this body on this subject, of persons of various shades of opinion, and especially by those whom I would, without disrespect, call the holders of extreme opinions on this subject. I have been taken very gravely to task for the kindness I expressed toward my brethren on all sides; the effect of which, in my mind, is to convince me more and more that I am right. One finds very serious fault with me for speaking a single kind and loving word towards my brother Thomas, whom I have known longer probably than the persons who rebuke me had lived; and another finds fault with me for speaking a kind or charitable word towards my dear brethren of the Declaration and Testimony wing, many of whom I have known for a long time. I am not in sympathy with either of these parties, but I thank God I can love my brethren, and when I am rebuked for expressing kindness of feeling towards them on both sides, I thank the Lord and take courage, because it convinces me more and more perfectly that the middle ground is the true ground.

* * * * * * * * *

Dr. Krebs called the speaker's attention to the acts of the Assembly in 1846, with regard to the erection of the Presbytery of Wisconsin.

Dr. Breckinridge, in continuing his remarks, claimed that the case of the Presbytery of Wisconsin was one of the exceptional cases: that action was then taken according to the expediency of the case, as the General Assembly erected a Missionary Presbytery, or the other day dealt with the Presbytery in East Tennessee, which was the proper action, for the reason that there was no Synod to deal with it. Hoped this Assembly would connect that Presbytery with the Synod of Kentucky. Claimed that such action had no resemblance to what was proposed to be done by the report of the committee. This question of the lack of constitutional power would not interfere with the plan proposed by Dr Humphrey. Even if it be granted that the Assembly had the constitutional power to do this, it would certainly not follow that it had the power to take men up in so summary a way, and declare them in Court and proceed to try them. The Presbytery could not be death with, without dealing with the men, and the men could not be dealt with except by giving them a trial. But no Court had been organized for their trial; No charge had been pronounced requiring the Assembly to remember their high character as a court of Jesus Christ. If they were tried as a Presbytery they ought to have been cited here as a Presbytery.

He denied the statement that the Synod of Kentucky had ever "refused to try these men," but stated that it was impossible to say whether they would neglect or fail to do it if it was required of them by the Assembly. The Synod of Kentucky had never "declined," because to say they had declined, supposes that they had been asked to do something. They had been asked to do something which they wouldn't do, and although it may appear in the judgment of the Assembly and the Church that the Synod did wrong therein, it didn't appear wrong to the speaker yet. The Synod of Kentucky was asked to exclude these men from the Synod, disfranchising them as ministers, to exclude them from the whole Presbyterian body, declare them incompetent, unfit for sitting in that or any other Court of the Presbyterian Church, and to declare all that by a simple resolution on making up the roll, before even the Moderator was chosen. That was what the Synod would not do, and most properly. That was the head and front of the offending of the Synod of Kentucky, and that was what the report of the committee condemned, and asked the Assembly to condemn. It might come out that the Synod of Kentucky would take this matter up for itself, and no man had a right to affirm the opposite, and doubly had no man the right to assume such a thing as that for the purpose of doing anything that was clearly unconstitutional. The Presbyterian Church could stand a great deal. The Synod of Kentucky could stand a great deal, but to stand this, that to the General Assembly belongs the power to do all, everything, because it is the General Assembly, is more than they could stand.

At this point in Dr. Breckinridge's speech, the Assembly adjourned until afternoon.

AFTERNOON SESSION.

The Assembly met at 3½ o,clock, P. M., pursuant to adjournment, and opened its session with prayer by Rev. Dr. Hickok.

Rev. H. J. VanDyke, D.D., presented the following protest, which was received and admitted to record:

The undersigned respectfully protests against the action of the General Assembly in rejecting a proposal to extend to the Presbyterian ministers and churches in the Southern States the same expressions of fraternal affection, and of desire for organic union, which have been so freely extended to that other branch of the Presbyterian Church commonly known as the New School. Without expressing any opinion as to the practicability of consummating the proposed reunion with the last named body, "upon the basis of a common standard," the undersigned desire to declare their solemn conviction that the commands of our Divine Master, and the exigencies of the times in our country, forbid the continuance of division and strife between brethren who maintain a common faith, and upon whom Providence has imposed a common work for the extension of the gospel; and we are further persuaded that every consideration which can render Christian union desirable in any case has a peculiar and pre-eminent force in the relations we sustain to the Presbyterian ministers and churches in the Southern States. We are, therefore, constrained by our regard for charity, truth and peace, to protest against the aforesaid action of the Assembly, upon the ground of its manifest inconsistency. This inconsistency appears to us the more glaring in view of the following incontestible facts:

1. The soundness of the Presbyterian ministers and churches in the Southern States, in regard to the distinctive doctrines of the Gospel and the fundamental principles of ecclesiastical order, has never been questioned by us; and, indeed, their title to our confidence and affection on these high grounds, cannot be impugned by this Assembly, without denying notorious facts, revoking our own most solemn testimonies in their favor, and involving ourselves in condemnation for having so long and so persistently held communion with them.

2. The questions in regard to civil government and domestic servitude which have separated them from us during the continuance of the late civil war, (questions which, in the opinion of the undersigned, ought ever to be held subordinate and inferior to the great doctrines of the Gospel,) have been practically decided by the result of the war in accordance with the views of this Assembly, and to that decision they have unanimously submitted. Slavery has been abolished, and so far as we have any information on the subject, there is not a man in the Presbyterian Churches at the South who expects or desires its re-establishment. In regard to the duty of Christians to "obey civil magistrates, to submit to the powers that be, and to be subject to every ordinance of man not only for wrath but for conscience sake," there never has been any fundamental difference of opinion between them and us. The only ground of dispute between them and us in reference to this subject has been the practical and political one, "Who are the powers that be, having jurisdiction over the Southern States?" This question, also, has been practically decided by the results of the war, in accordance with the views of this Assembly, and to this decision the *Presbyterian ministers and churches in the Southern States have unanimously submitted.* Their representatives in General Assembly met, have solemnly declared and published to the world that "the higher powers now bearing rule over us are *confessedly* the Government of the United States, and those existing in the States wherein we reside." To these higher powers they solemnly profess their allegiance, and exhort all under their care to submit "with scrupulous fidelity." There is, therefore, no practical difference between them and us, even in regard to the subordinate questions of freedom and loyalty.

3. The inconsistency of the Assembly's action is further apparent when we consider the relation which the Presbyterian ministers and churches in the Southern States sustain to the great unsolved problem in regard to the evangelization and elevation of the negro population. The fidelity with which they have prosecuted the good work in former years, and the blessed fruits of their labors in this field, are fully set forth in the narrative on the state of religion adopted by the Assembly in 1854, an extract from which document may be found on page 818 of Baird's Digest. That the same spirit of love and fidelity to the spiritual welfare of the negro, which, according to the testimony of one Assembly, actuated them in 1854, still animates them, and is greatly increased in view of the peculiar miseries and temptations to which the negro is now exposed, there is abundant and notorious proof. It is the firm conviction of the undersigned, that the Presbyterian ministers and churches in the Southern States have done, and if they shall be left free to cultivate their own field without interference from strangers, that they will still do more for the conversion and salvation of the negro than can ever be done by any body of Christians not residing in the Southern States. And in this good work, if for no other reason, they are entitled pre-eminently to the expression of our fraternal confidence and affection.

4. The inconsistency of the Assembly's action is further apparent, in the opinion of the undersigned, when we consider the influence which it is likely to exert in retarding the permanent pacification of the country and the restoration of good will among all the people. And our apprehensions on this point are rendered stronger by the fact that the representatives of the Southern churches have "declared concerning other churches, in the most explicit manner, that we would willingly hold fellowship with all who love our Lord Jesus Christ in sincerity and especially do we signify to all bodies, ministers and people of the Presbyterian Church, struggling to maintain the true principles of the same time-honored confession, our desire to establish the most intimate relations with them which may be found mutually edifying and for the glory of God." (See pastoral letter of the General Assembly which met at Macon, Ga., Dec. 14, 1865.)

Henry J. Van Dyke,	Glass Marshall,
S. J. P. Anderson,	R. Buchanan,
R. K. Smoot,	G. C. Swallow,
W. M. Ferguson,	A. P. Forman,
P. Thompson,	J. T. Hendrick,
L. P. Bowen,	Edward Bredell,
J. M. Travis,	James H. Brookes,
J. L. Yantis.	G. W. Jarrett,
R. L. McAfee,	Isaac D. Jones,
T. A. Bracken,	Augus. T. Dobson,
Geo. W. Buchanan,	R. W. Allen,
R. S. Clark,	D. C. Brown.

After the reading of the protest, the Moderator said, shall a committee be appointed to answer this protest?

Dr. McLean. No answer is required.

Mr. Clark, of Detroit moved that it be admitted to the record.

Rev. Mr. Ferguson. Do I understand Dr. McLean as saying it shall not be entered.

Moderator. Wait a moment if you please. I suppose it is right to admit the protest, unless there is something offensive in it.

The motion to admit the protest to the record was agreed to.

Dr. McLean. My motion was simply that there was no necessity for an answer.

Rev. Dr. West. I move it to be the sense of this Assembly that no answer is required in this case.

Rev. Mr. Ferguson. I move to amend that by saying no answer is possble to be presented. [Laughter.]

The motion of Rev. Dr. West was agreed to.

Mr. Day said he made a motion this morning to lay on the table an amendment to the minutes. He understood that Dr. Breckinridge felt aggrieved at the minutes as they stand, as it puts him in a wrong position before the Assembly. He is in the light of bringing an appeal from Kentucky on an important matter, and he appears now on the record in a childish position. He (Mr. D.) was the last man to do anything to injure the feelings of Dr. Breckinridge. He moved, therefore, to reconsider the vote by which the minutes were adopted. The amendment he desired to offer was as follows:

"The Assembly then called for the original parties in the case, when Dr. Stanton appeared, and declined to proceed with the case; Dr. Breckinridge thereupon declined to proceed, and gave as a further reason for declining to plead, that the Assembly had confined the case to Dr Breckinridge and others, and the Synod of Kentucky, as the original parties."

Rev. Dr. Anderson wished to say, that all that was unfortunate in the position of the venerable father was of his own selection, and therefore he thought they were not specially bound to help him out of that difficulty. He had always thought he was able to take care of himself.

Mr. Day. He is not on this floor, and is not able to take care of himself where he is not allowed to speak.

The motion of Mr. Day to reconsider was agreed to, and his amendment to the minutes was adopted.

The following committees were announced:

Revising the Book of Discipline: T. L. McGill, David Elliott and John Krebs, ministers: H. K. Clark, H. H. Leavitt, Geo. Sharswoood, elders.

Metropolitan Church matter at Washington: P. D. Gurley and John Chase, ministers; Edward Myers, elder.

The unfinished business was then taken up—the report of the Committee on the Louisville Presbytery.

Dr. Wm. L. Breckinridge resumed his remarks.

In immediate connection with the report of the committee, he wished to call attention to one remark. The repot says, beside the injury to the Churches in the infected regions from the settlement of so grave a question, additional complications may arise, and the leaven of rebellion becomes more widely diffused. He did not understand what was meant by infected regions. If it meant there were persons who had not stood by the Government, and for which this Assembly should call them to an account, or persons who had not stood by the Church, then he would ask respectfully if there were not such people in all parts of the country. If this stigma was to be put on the Synod of Kentucky, might it not be put on every part of the Presbyterian Church? It was said additional complications might arise. He wished to know what that meant. Did it mean that political affairs might take a sudden turn?—if so, then it should be struck out. But what he wished particularly to refer to, was the point urged that all these evil influences would result from delay. He did not desire to argue the question, but simply to express an opinion, that hurrying of matters to a conclusion, as was here proposed, was what involved danger and not delay. If this region was infected, it was far more likely to be infected by the passage of such a proposition as this, than by delay. If it were left to him to say what should be done for the repose of the Church, he would say without hesitation, that the best thing that could be done, was to let this matter alone for the present, because the more it was disturbed, the more attention would be called to it, whereas it would die out if left alone. It was a peculiarity of human nature to sympathize with men in trouble, and who are supposed to be misused, and if they took this proposed action, so as to impress upon the minds of some people that they had been rashly, unjustly and unconstitutionally pursued, it would give them a symyathy which they could not otherwise obtain.

Rev. Dr. Smith, from Baltimore, desired the speaker to give way for a moment, in order that he might say that he had received four letters from Baltimore to-day, which fully confirmed what Dr. Breckinridge had said.

Dr. Breckinridge continued in this strain of remark until the hour of adjournment.

The Presbytery of Louisville stands adjourned to meet in the Fourth Presbyterian Church in this city, on the 19th inst., at 8 o'clock P. M.

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May10 t-f.

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Sole Leather,	Pad Skins,
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Carriage Makers' Materials, &c.	

feb 8

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BELLS for Churches, Academies, Factories, &c. made of genuine Bell-metal (Copper and Tin,) mounted with Improved Patented Mountings, and warranted. Orders and enquiries addressed to the undersigned, will have prompt attention, and an illustrated catalogue sent free, upon application.

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"THERE IS NO KIND OF HOUSEHOLD LABOR so wearing to the system, and at the same time so ever present and so inexorable in its demands as "the everlasting stitch, stitch, stitch." The patient wife and mother has been compelled to toil on from morning to late in the night, at her ever recurring task from which, very often, even money could not purchase exemption. Now, relief has come—relief more legitimate and practical than "women's right's" conventions ever dreamed of. The "stitch," "the everlasting stitch," may be made to the "song of the machine." The labors of long weary hours may be reduced to brief and tripping minutes. Into tens of thousands of families the Wheeler & Wilson Sewing Machine would at this very moment, carry immense relief. We cannot envy the head of a family who would deny such a boon to his toiling wife; nor the wife who will not take the little pain and exercise the little discipline necessary to make her proficient in its engagement."—*Christian Advocate.*

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AND

DOTY WASHER.

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Of them have been sold and are now in use in the United States.

They save the Labor, Clothes, Time, Health, and Strength—will pay for themselves every year, in the saving of Clothes alone—so says Orange Judd, Proprietor of the *American Agriculturalist*, and so say thousands. None can afford to do without them.

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In every County in the Country, to sell them and make money.

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Where they are *Retailed* by H. W. WILKES.

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March 22—8t

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A MONTHLY,

Devoted to Literature, Agriculture and General Intelligence, and comprising Reports of Battles, Incidents and Anecdotes of the late War, never before published.

By GENERAL D. H. HILL,

(late of the Southern Army.)

PROPRIETORS: J. P. IRWIN, D. H. HILL.

TERMS: We propose to publish a Magazine, containing from sixty to eighty pages, of the size of those of Blackwood's Magazine, for THREE DOLLARS a year in advance, or FIVE DOLLARS, if not paid till the end of the year; and to begin the issue on 1st May, provided that the subscription list will justify the undertaking. The cash subscribers not to pay till after the receipt of the first number.

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Together with every article used in House and Steamboat Furnishing—including
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All kinds, at COST—to close out the entire stock. D,, K. & CO.

mar 8-6t

MOUNT WASHINGTON

Male and Female Academy.

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MISS TENA CRUM, *Teacher of Instrumental and Vocal Music.*

Having removed from Cloverport, Ky., to Mt. Washington, the subscriber will open his school for the reception of students, on the first Monday of September, 1865, to continue for a session of twenty weeks.

TERMS.

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Mt. Washington is a pleasant, healthy town, situated on the Bardstown pike, twenty miles from the City of Louisville. The stage leaves Louisville every Tuesday, Thursday and Saturday morning at 9 A. M., for Mt. Washington arriving there for dinner. A limited number of Students can be accommodated with the Principal.

Boarding, lights, fuel and washing, in house of Principal,.....
Washing per dozen,.....

Boarding can be obtained in good families in town, at very reasonable rates.

Students will be charged from the time they enter, and no deductions, unless in cases of protracted sickness.

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J. W. HEAGEN,

Aug. 15th. MT. WASHINGTON, KY.

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THE NEXT SESSION of this Institution, will open on MONDAY, the 4th of SEPTEMBER. A few additional rooms have been erected since the close of the last session, so as to accommodate all who may apply. The Principal will be assisted by six able and accomplished teachers in their respective departments. The situation is retired, being wholly in the country, and yet accessible six times a day by Railroad. The course of study is thorough—the government mild but firm, and the facilities for an education both useful and ornamental, equal to any in this region. For Catalogues containing terms, &c., apply to the undersigned, at Hobbs' Station, Jefferson county, Ky.

Aug. 10, 1865.—tf W. W. HILL.

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TUITION AND BOARD—including washing, lights, and fuel in private rooms,.....$240 00
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CHARGES FOR THE EXTRA COURSE—As Music, Harp, Piano, Guitar; Ancient and Modern Languages; Drawing; Painting; Embroidery, &c., are the same as are usual in Schools of equal rank.

After an absence of only four years, I have returned to take charge of the Academy which has been under my direction for about fifteen years. Hence, I do not deem it necessary to restate here its course of study, and the particular ideas by which its management is controlled. A brief statement of these points will be found in the Circular of the School for the coming session. Those desiring a Circular, or any further information, will please address me. J. V. COSBY,

August 10, 1864.-tf Bardstown, Ky.

SPRING AND SUMMER COURSE.

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AND SCHOOL OF

Practical Medicine and Surgery,

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This institution is designed to afford Medical Students opportunites for prosecuting their studies in a thorough and systematic manner throughout their entire course.

Young men wishing to engage in the study of Medicine will be received as private pupils, directed in their studies and submitted to daily examinations, accompanied by explanatord lectures, &c. They will have access throughout the year to the Medical Library, containing over five thousand volumes, and to the Museum of the Medical Department of the University, with its splendid collection of Models, Charts, and Anatomical preparations. The University Dispensary furnishes every desirable clinical advantage. Students will here witness the examination and treatment of all varieties of medical and surgical diseases, and as soon as they are sufficiently advanced, cases will be entrusted to their individual care. They will be taught the application of the bandage, afforded opportunities for catheterizing, extracting teeth, using the speculum uteri and ani, and performing many other operations in minor surgery. Especial pains will be taken to maintain an interesting obstetrical and female clinic, and one or more cases of labor will be assigned to each student during the year. As each member of the class will be called upon in turn to serve as apothecary to the institution, a thorough knowledge of Practical Pharmacy may thus be acquired.

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TERMS.—Regular Students, $100 a year or $12,50 per month.

All payments must be made in advance, or note with good security given.

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THE HISTORY

OF THE

CHURCH OF GOD

DURING THE

PERIOD OF REVELATION.

The Lord is great in Zion.—Ps. 99:2.

BY REV. CHARLES COLCOCK JONES, D. D.

As soon as the requisite number of subscribers is obtained, the work will be published in two volumes royal octavo. Price $8. Ministers and Christians are respectfully invited to subscribe and to obtain subscribers. All communications addressed to

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Jan. 25—

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Winifred Bertram and the World she lived in,.....	$1 75
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A. DAVIDSON,
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Sept. 7, 1865. West Troy, N..

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COACH & CARRIAGE

MANUFACTURER,

NO. 20 MAIN STREET,

Between 1st and 2d, LOUISVILLE, KY.,

OLD STAND—27 YEARS STANDING,

☞Manufactures and keeps constantly on hand, a general assortment of Carriages, &c., &c., of the latest fashion.

May 10 t-f.

ing to the probabilities of the case. What are they? If you leave the Presbytery recognized and defiant, with revenues, with friends, with influence, with a society instituted for the very purpose of congregating friends around this nucleus—if you leave them there in the midst of a Synod which is, to say the least, hesitating, (and I do not impugn their motives; I do not know how I might have acted under the influences they may have felt,) can we hope for a safe issue of events to the Church in Kentucky. Will the interests of Presbyterianism be secured if we leave this Presbytery to the control of a Synod that has seen this evil festering since last September? What may we reasonably expect, what new complications, what aggravated evils, if we leave this matter in this condition? No, Moderator, there is a necessity laid upon us that we shall do justice in this case.

But then, sir, we temper justice with mercy. What do we do? We select from this Presbytery the men who have signed this act and testimony, and who have recorded on its books their votes in its favor. There is the overt act of rebellion. Such brethren as were present and voted in the negative, or such brethren as were absent from the Presbytery, or such as have declined for various reasons to put their names to this document, these we gather together and say, brethren, we know some of you do not agree with us in this matter; some of you, it may be, approve of this document, and some of you utterly condemn it; but we say, you have the right to your private opinions. We gather you together who have stood faithful to the Church in this trial, and organize you into a Presbytery. We take you, brethren, "faithful among the faithless found," and we commit to you the watch and care of those Churches, and of those precious souls belonging to this Presbytery. We go further than that, and honor the most faithful. That report appoints a young man, the solitary brother who stood up in that Court, and in the presence of Christ and his enemies in the Presbytery, said: Brethren, No, I cannot vote to adopt this Declaration and Testimony. That "No" stands recorded, and we honor it. We tell him to be the Moderator of that new Presbytery, to preach the sermon, and receive the reward of his fidelity. Then we turn to the other brethren in this report, and say: Brethren, we will see to it that our justice is tempered with mercy. Here is the open door; you may enter if you please. After the organization of this Presbytery, we give you two months for deliberation. We do not touch your pastoral relations for two months. You have seen the act of this house, and you know the tember of this Church. You can review your proceedings and you can come to this Presbytery and say to them, what? Now, I beg brethren to look at that formula prescribed in the report and see if it be not the very mildest thing this house could ask of such offenders. We ask them to say, "I repent of my sin in reviling the Church of Christ and in bidding defiance to her legitimate authority, and promise, henceforth, obedience to my brethren in the Lord."

We do not require them to subscribe to all the decisions of the General Assembly, but we do require each of them to say, "I regret my error in having subscribed to this document, I express my disapproval of the Declaration and Testimony and promise future obedience." Is not that mercy mingled with justice?

Dr. Thomas then spoke of the great want of our age, being a want of obedience to and a reverence for law, and thus closed his speech:

The crushing of this infamous rebellion has settled the question of subjection for wrath's sake. And more, when the civil war is ended, when armed resistance yields to the supreme authority of the national will; when every patriot desires to allay thep assions engendered by that war, and to bind our whole land in bonds of fraternal fellowship around our common Government and common flag; there springs up this petty rebellion in the Church, this feeble echo of the old war-cry that led the vanquished hosts of treason. Here come these declaration and testimony men, protesting that five years ago we erred when we said in the Aesembly of 1861, that, in the circumstances of the case before us, (and every rebellion must be tried by the circumstances which occasion it,) they who "resisted the power resisted the ordinance of God; and they that resist shall secure to themselves damnation." (Rom. XIII, 2.) Here they come, protesting that the great Presbyterian Church, with all Christendom, sinned, when we gave thanks to God that in His holy and unsearchable providence, he had instantly emancipated four millions of poor slaves. Here comes this Presbytery of Louisville, which has planted itself bodily on this Declaration and Testimony, and tells the General Assembly and the whole Presbyterian Church, in the face of the world, Brethren, we refuse to obey you; we defy your authority; we spurn your "decrees delivered to the Churches to keep;" we have organized a resistance to the supreme ecclesiastical court by which we expect to overturn its influence; and that we may the more efficiently execute our hostile purpose, we demand a seat in your body, a share in your counsels, and the opportunity of thwarting at every turn, whatever measures you may adopt to suppress our schismatical contentions!

Did ever rebellion attain such a sublime audacity of impudence? Sir, in the in the providence of God this Assembly enjoys the high privilege of forever establishing the fact that government in the Church means something; that it, too, is an ordinance of Heaven; that it is the delegated authority of Him who holds in his right hand the red-hot thunderbolts of hell. "Whatsoever ye shall bind on earth shall be bound in heaven: and whatsoever ye shall loose on earth, shall be loosed in heaven." (Matt. xviii 18.)

Let this General Assembly, exercising in His name that ministerial and declarative authority entrusted to it; and yet tempering justice with mercy, "for the destruction of the flesh, that the spirit may be saved in the day of the Lord Jesus;" execute this act of most deserved discipline. Let us say to this offending body, your principles are intolerable; your practice unendurable. Some of you we love; all of you we pity; but we must protect the Church, we must purge out the old leaven; we must "even cut off them who trouble you." (Gal. v, 12

Moderator and brethren, we are called to vindicate ecclesiastical authority the power of the keys, not only in our own Church, but for all the churches of the land. This thing is not done in a corner. The eyes of America are upon you. To every city, village and hamlet in the country the news of your decision will be carried on the wings of the lightning. Thousands and tens of thousands who have offered prayers for your guidance by Divine wisdom, are waiting to hear that the Church has sealed the doom of ecclesiastical rebellion. Let us meet our responsibility like men, like Christians. The Presbyterian Church expects every man to do his duty. [Applause.]

Rev. W. L. Breckinridge said he had listened to the arguments of his brother Dr. Thomas with the greatest respect, and felt a diffidence in following one whom he had long known and esteemed. It had been said that this assembly had a majority of four to one. He presumed its action, however, was based on its conscientious right to act as it had done, and not on the naked power to act. It grieved him to differ with his brethren. He was almost alone in his position. He was not in sympathy with either party. He, as was well known, had not been in sympathy with the 'Declaration and Testimony," and had no sympathy now, notwithstanding his profound regard for those who had issued it. He had condemned it from the first. The measure of punishment, however. was the question. He did not recognize the right of the General Assembly to stretch its armover the Synod and lay it on the Presbytery. If it could do this, he would like to know why it might not lay its hands upon any church or its minister, or its session. He believed a majority of all the people and all the churches in Kentucky approved and concurred in the principles of the "Declaration and Testimony." He would like to hear how, by constitutional reason and logical deduction, the Assembly might not lay its hands on all the churches and dissolve them if it could dissolve a Presbytery. In chapter twelve of the Form of Government of the Church, he had not been able to find a single line to justify the Assembly in laying its hands on a Presbytery. No precedent could be found to justify this. It was the duty of the Assembly to suppress schism and dissensions. But that must be done according to law. The case of the Third Presbytery of Philadelphia was not in point. The dissolution of that Presbytery was through its Synod. The action of the General Assembly had been through the Synod. The case had been up time and again through several years, but always through the Synod. (Dr. B. read from Baird's Digest the history of the case of the Third Presbytery of Philadelphia, organized in 1832, by the General Assembly, and dissolved in 1837.) In the latter year the General Assembly had repudiated the whole thing upon the ground that its action was irregular and exceeded its powers. It was declared null and void from the beginnin- This was the case cited in support of this Assembly's action. This, in his opinion, was a *non sequitur*. That Pres bytery was organized, as was said, to secure peace, but in fact to protect them in heresy, which finally ended in the division of the Church with which it was now so earnestly sought to be united. But the thing was rotton from the beginning. He thought the declaration that the Synod of Kentucky had neglected or refused to act in this matter as an unwarranted assumption. There were no records before the Assembly to show this. The Assembly, therefore, could not assume what it did not know, and could not take action even on the assumption that this body had the right to act on a Presbytery, which it had not, as there was neither law nor precedent to warrant this.

Dr. Krebs said the General Assembly had organized a Presbytery in Wisconsin, and having the power to create, it necessarily possessed the power to dissolve.

Dr. Breckinridge said this had been done in 1842, before the existence of a Synod capable to organize a Presbytery. So, the Assembly had not passed over a Synod to erect a Presbytery, and the case was not analogous.

The hour of adjournment having arrived, Dr. B. gave way without concluding.

Dr. Smith moved that Dr. McCosh, of Scotland, be invited to address the Assembly this afternoon on the Sustentation Fund. Agreed to.

After prayer by Rev. W. M. Grimes, the Assembly adjourned to 3¼ o'clock P. M.

AFTERNOON SESSION.

Dr. Monfort, from the Committee on Bills and Overtures, to whom was referred the subject of a Union with the New School Assembly, presented the following report:

The committee on Bills and Overtures report Overture No. 10, on the subject of the re-union of the two branches of the Presbyterian Church, from the Presbyteries of Leavenworth, Muncie, New Lisbon, Madison, Erie and Oxford. These Presbyteries ask the Assembly to take measures at this session to secure at an early day the organic union of the two bodies, whose General Assemblies are now in session in this city.

1. This Assembly expresses its fraternal affection for the other branch of the Presbyterian church, and its earnest desire for union at the earliest time consistent with agreement in doctrine, order and policy on the basis of a common standard and the prevalence of mutual confidence and love, which are necersary to a happy union and to the permanent peace and prosperity of the united church.

2. That it be recommeded to all churches and church courts and to all ministers, ruling elders and communicants to cherish fraternal feelings, to cultivate Christian intercourse in the worship of God and in the promotion of the cause of Christ, and to avoid all needless controversies and contentions.

3. That a committee of nine (9) ministers and six (6) ruling elders be appointed, provided that a similar committee be appointed by the other Assembly now in session in this city, for the purpose of conferring in regard to desirableness and practicability of re-union; and if, after conference and inquiry, such decision shall seem to be disirable, and practicable, to suggest suitable measures for its accomplishment and report to the next General Assembly.

Rev. Dr. Van Dyke. I confess I would like to hear an amendment to that report, so that we might include another body of Presbyterians, and consult on their soundness in the Faith. There certainly is as good reason why we should have conference with them as we should have a conference on the soundness in the Faith of the other branch. There are eight hundred and fifty Presbyterian ministers in the Southern States—a body of men as large as the Free Church of Scotland, and a body whose soundness in the Faith this General Assembly has readily indorsed within six years.

Dr. McLean. Has the member a right to speak without a motion?

The Moderator. There is a motion to adopt the report.

Dr. Van Dyke. I confess it stuck my mind painfully that amid all these interchanges of fraternal affection, while we are stretching out our hands across the ocean to those brethren of the Free Church of Scotland, to our brethren in Ireland, and to our brethren of the New School Assembly, and while we are talking about a marriage union with them, there has not been said on this floor a single word of kindness or affection for our own brethren with whom we took sweet counsel, and went to the House of God in company, until five years ago—not a single word, except those precious words that fell from the lips of a stranger coming among you from a Dutch Church.

Mr. Reinboth. The ministers to whom he calls attention have seceded and declared that they don't wish to have any thing to do with us.

Mr. Hynes. The brethren to whom he refers in the South, are in no way included in the paper before this house, and therefore he is speaking to no point covered by that paper.

Dr. Van Dyke. I move as an amendment that the brethren formerly connected with this General Assembly in the Southern States be included.

Rev. Mr. Heckman. I suggest the gentleman to give the corporate title of that body.

Dr. Van Dyke. The General Assembly of the Presbyterian Church in the United States.

Rev. Mr. West. I wish to know if it is competent for a member, in the middle of his speech, to make a motion, if it is not equally competent for any member to move to lay it on the table.

The Moderator. I understand that Dr. Van Dyke proposes to speak to his amendment. As a matter of courtesy I think the house should permit him to do so.

Dr. Van Dyke. Moderator, I did not intend to occupy the attentiou of this house two minutes when I arose, and I did not intend to intrude the thoughts and feelings which I entertained upon the attention of the Assembly, seeing they are reluctant to receive them, but I cannot discharge my conscience to God and the brethren who sent me here, and what I believe to be the Christian sentiment of the church, without pursuing the subject which I have mentioned. I am among the number, Moderator, who do not feel so exultant in regard to the present position of the Old School General Assembly. While I should be sorry to indulge in anything that would be esteemed, even by the most fastidious, as disrespectful to this body, the feeling of my heart is expressed in the declaration, "how are the mighty fallen." Eight hundred and fifty—nearly one-third of the ministers of this church—are to-day out of this house, and the General Assembly, is occupied with a case in which they propose to cut off another part of the body of this church, and we have been warned that the General Assembly propose to proceed in this business till it is purged of what some gentlemen seem to consider the old leaven. Now, I believe in the doctrine of the perseverance of the Saints. You have on record within ten years, the highest possible indorsement of the orthodoxy of these eight hundred and fifty brethren in the Southern States. In regard to this question of freedom, a representative from the Church of Scotland has well declared this to be an unsolved question. You have put your indorsement upon the record in regard to the zeal and faith of these Southern brethren in a way which you can never blot out. In that record you give a description of the labors of the brethren in the Southern States, in behalf of the negro population of those States. You declare in that deliverance provision, ample and extraordinary, is made in all their churches that the colored man may hear the pure gospel. You declare further, that men are engaged in preaching to these colored men, not of inferior talents, but the first men in the church. I do not give exact language, but that is the one that was adopted only twelve years ago, and now when we are here in a grand Love Feast, and propose to marry ourselves with another branch of the Presbyterian Church—when, in our Christian forbearance, charity and love, we are preparing to swallow or be swallowed by it, and which only a few years ago we pronounced heretical. In the midst of this exercise of Christian charity there is no man to say one word for these 850 men down South, who, in the midst of poverty and suffering, are grappling with this great question; and the only report we have from them in regard to their connection with this great problem, is what you will find in the report of the Committee on Freedmen, on which, if the Assembly enlarge, I shall take the liberty to say something when the question comes up. The only way in which we have recognized their labors for the negro population is by coming in conflict with them under Military Commissions to take possession of one of their churches, and hold it from those who are acknowledged to be the rightful owners. I do not wish to pursue the consideration of the subject, but I cannot sit still and discharge my conscience and the feeling of my heart towards men whom you have taught me to honor, and men that I was brought up to honor, without intimating, at least, that that report ought to be amended.

Rev. Mr. West. I move to lay the amendment on the table.

Rev. Mr. Ferguson. I call for the ayes and noes.

The Moderator. I had begun to take the question.

Rev. Mr. Heckman. I desire to know if the names of these 850 ministers, and the Presbyteries and Synods to which they belong, have been struck from our list.

The Moderator. The gentleman is not in order.

The amendment was laid on the table, and the report was then adopted.

Dr. Van Dyke. I give notice of a protest against the vote just taken.

Rev. Mr. Waller then presented the following report from the committee on Theological Seminaries.

The Committee on Theological Seminaries respectfully report to the General Assembly, that full reports from the Trustees and Boards of Directors of the four Seminaries under the care of the General Assembly, have been placed in their hands, and found in order, and are recommended to be read and published in the appendix to the minutes.

Miscellaneous papers have also been placed in the hands of the Committee, and received appropriate consideration. The financial affairs of each of these institutions appear to have been carefully administered, and to be in a prosperous condition.

The Danville Seminary has been injuriously affected by the great national convulsion of the last five years to such an extent as to awaken deep solicitude for its continued prosperity and usefulness. The number of students has become so small that three of the four Professors have resigned. The resignation of Rev. Dr. E. P. Humphrey and the Rev. Dr. S. Yerkes have been accepted, and that of the Rev. Dr. R. L. Stanton has been tendered, and your committee recommend its acceptance by the Assembly, while the Rev. Dr. R. J. Breckinri'ge has signified his readiness and wish to resign. Thus the question of the temporary suspension of the Seminary has become one of serious import. But after mature deliberation, and in view of possible litigation and loss, your committee recommend to the Assembly, that Dr. Breckinridge be requested to retain his Professorship and look after the interests of the Seminary, and endeavor to prosecute its more perfect endowment.

He is, also, authorized to confer with the Trustees of the College and with the Synod of Kentucky as to the conditions upon which they will agree to the removal of the seminary from Danville, and report to the next General Assembly.

In view of the provision in the charter of this institution which empowers the General Assembly to elect Trustees, when sitting within the limits of the State of Kentucky, your committee would call the attention of the Assembly to the importance of holding a session within the State at the earliest practicable period.

The following persons are nominated for filling the vacancies in the Board of Directors, which occur by limitation during the present sessions of the Assembly, viz:

Ministers.	Elders.
W. L. Breckinridge, D.D.,	B. M. Penick,
J. F. Coons,	O. Beatty,
J. P. Hendrick,	William Prather,
N. C. Burt, D.D.,	Glass Marshall,
J. B. Condit,	James Barbour,
H. H. Allen,	B. F. Avery,
R. W. Landis, D.D.,	T. T. Alexander,
R. J. Breckinridge, D.D.,	John G. Barrett,
S. D. Carcthers,	A. E. Chamberlain.

D. D. Dickey in place of J. A. Lyle, deceased.
E. Anson Moore in place of G. W. Lewis, decd.

The report of the Board of Directors of the Western Theological Seminary, shows the reception of twenty-nine new students; and a total attendance during the year of eighty-four. Nineteen candidates have passed the required examinations and received the diplomas of the institution.

The request of this Board for a revision and reissue of "the plan of the Seminary," "under which all our theological seminaries have been organized," is commended to the consideration of the Assembly. The report of the trustees that the sum of thirty thousand dollars has been added to the endowment fund of the Seminary, and two scholarships have been endowed by the gross sum of five thousand dollars, deserves the grateful acknowldgement of the Assembly.

Your committee would respectfully nominate for re-election, the members of the Board of Directors whose term of service expires during the present session of the Assembly, viz:

Ministers.	Elders.
Samuel Wilson, D.D.,	Alexander Laughlin,
George Marshall, D.D ,	Francis G. Bailey,
Wm. D. Howard D.D.,	B. Rush Bradford.
Elliott E. Swift,	
L. R. McAvoy, D. D.,	
Robert Dickson,	
David H. Riddle, D.D.,	

And to supply the vacancy occasioned by the death of Rev. D. D. Clark, D. D., D. J. Waller.

And that occasioned by the resignation of Samuel McClung, Alexander Donaldson, D.D.

The Trustees of Princeton Seminary report "the net sum of $66,405 15," as raised within the year for payment of debt and endowment. This cheering token of favor to this, the oldest Seminary of our Church, will be hailed with gratitude by the Assembly.

The Board of Directors report fifty-four new students within the year, and an attendance of one hundred and fifty-seven. Of these, fifty-four sustained the usual examinations and received certificates of having completed the three years course.

The Faculty of the Seminary afford the gratifying information that the Seminary has shared with the Colleges and Churches in the town, in a special baptism of the Holy Spirit, while at the same time the regular studies have been prosecuted with increased punctuality and diligence.

Your committee would recommend the re-election of the following members of the Board, whose term expires during this Assembly, viz:

Ministers.	Elders.
Joseph H. James, D.D.,	Sebbens B. Ward,
John McLean, D.D.,	Ira C. Whitehead,
Wm. B. Sprague, D.D.,	James Robinson, in
John M. Dickey, D.D.,	place Ebenzer Platt,
N. L. Rice, D.D.,	deceased.
J. E. Rockwell, D.D.,	

W. M. Paxton, in place of Rev. D. Magie, D. D., deceased.
Alexander Reed, in place of G. W. McPhail, D. D., resigned.

The Directors of the Theological Seminary of the North-West report the reception of fifteen new students during the past session, and the conferring of the usual certificate upon four young gentlemen who have completed their course in the institution. No return is made of the total number of students now in the Seminary.

The large addition to the library of the institution, through the liberality of the widow of the late Rev. W. B. Phillips, D.D., of New York city, consisting of his library, to the number of 854 volumes, is deserving of the special and grateful notice of this Assembly. The Board of Directors resolved, by a vote of 11 to 9, to request the Assembly to transfer Dr. Lord to the Cyrus H. McCormick Professorship of Didactic and Polemic Theology, and also to fill the fourth Professorship by an election. The Board, however, inform the Assembly that the opposition to those acts is very firm and weighty.

The friends of the Seminary present in St. Louis from all parts of the Northwest, including a large number of the Directors of the Seminary, have had frequent conferences on this subject, and have arrived at a good degree of unanimity. Their views having been communicated to your committee, it has been our unanimous conclusion that both the comfort and usefulness of Dr. Lord will be best secured by retaing his valuable services in his present department.

Your committee therefore recommend that this Assembly proceed to the election of a Professor of Didactic and Polemic Theology; and we would respectfully ask leave to nominate for this chair the Rev. E. D. McMaster, D.D.

The term of service of ten members of the Board expires during the session of the present Assembly; and your committee would respectfully report the following nominations to fill the vacancies, viz:

Ministers.	Elders.
S. T. Wilson,	Samuel Howe,
F. N. Ewing,	John Woodbridge, Jr.
J. P. Safford, D.D.,	Henry Phelps,
F. T. Brown, D.D.,	J. McKee Peeples,
J. G. Monfort, D.D.,	J. C. Walker,

J. D. Mason, in place of A. A. E. Taylor, res'd.
Jas. M. Ray in place of Wm. Shuts, resigned.

On motion of Dr. Waller, the elections were made the special order for Monday at 12 o'clock.

The Assembly then adjourned till Monday at 9 o'clock.

NINTH DAY—MORNING SESSION.

Monday, *May* 28, 1866.

The Assembly met and spent half an hour in devotional exercises. After approving the minutes of Friday, and disposing of some matters of minor importance, the Moderator announced the committee of fifteen on re-union as follows:

Ministers—J. M. Krebs, D.D., Synod of New York; C. C. Beatty, D.D., Synod of Wheeling, Va.; J. T. Backus, D. D., Synod of Albany; D. P. Gurley, D.D., Synod of Baltimore; J. G. Monfort, D.D., Synod of Cincinnati; W. D. Howard, D.D., Synod of Pittsburgh; W. E. Schenck, D. D., Synod of Philadelphia; Villeroy D. Reed, D.D., Synod of Chicago; F. T. Brown, Synod of Chicago, New Jersey.

Elders—Jas. McRay, Synod of Northern Indiana; Robert McKnight, Synod of Allegheny; Sam. Galloway, Synod of Ohio; H. K. Clarke, Synod Sandusky; George P. Strong, Synod of Missouri; Prof. O. Beatty, Synod of Kentucky.

Dr. Matthews, from the committee on Disabled Ministers, to whom was recommitted the report of the committee on Friday, made a report.

On motion, judicial case, No. 1, being the appeal and complaint of Rev. R. J. Breckinridge, D.D., against the Synod of Kentucky, in the matter of the decision of the Synod in making up its rolls, and deciding not to omit there from the signers of the "Declaration and Testimony," was taken up, when the Moderator (Dr. Stanton,) being in interest in the appeal, vacated the chair, and, on his suggestion, the Assembly approved his nomination of Rev. J. M. Krebs, D.D., for temporary Moderator during the continuance of the trial.

On motion, judicial case, No. 2, being the appeal and complaint of Rev. J. P. McMillan against the Synod of Kentucky, in the matter of the Synod refusing to finish up the appeal against the Presbytery of Louisville, in adopting the "Declaration and Testimony," was taken up.

On motion, it was resolved to try the foregoing cases together as one case.

The Moderator, *pro tem.* then said: It is my duty to remind the Assembly that they are about to sit in a judicial capacity, and to enjoin members to remember their high character as a Court of Jesus Christ. The first business is to hear the reading of the sentence appealed from.

Rev. Dr. R. J. Breckinridge disired to say as one of the parties interested in this case, that there were preliminary matters which it would be necessary to settle before entering upon a trial of the case. They desired to know first, who were the parties to respond, because it would very materially affect their mode of proceeding in opening and continuing the case. The proceedings were in their nature double, and it was as much for the convenience of the court as for the substantial administration of justice that the two cases should be tried together. In the first aspect of the case, they complained of a tribunal and the manner in which they conducted business, and he desired to say he intended to press the severe censure of this house upon that tribunal. The Synod of Kentucky was the party complained of. In regard to the signers of the Declaration and Testimony, also complained against, their declinature of further attendance upon this house would not prevent either of them from appearing here during the trial of the case, just as much as though they were members. What he now desired was, to know who of the members of the Synod appear for the Synod. The majority and minority of the Synod were both entitled to be heard, and he desired to know who and how many on each side of the majority and minority were present. He knew of no way of getting at it except the house deciding it.

The Moderator *pro tem.* stated the question was whether the house would consent to try the several appeals together, according to the recommendation of the Judicial Committee.

Mr. Davidson moved that they be tried together.

Rev. Dr. Breckinridge said there was another party to the case—the parties who signed the Declaration and Testimony. The thing had all through a double aspect—first, leveled against the Synod for its mode of proceeding, and against the parties for their course of conduct. Suggestions had been made to coerce these trials to the alternative of either being appeals or complaints. He reisted it and he would say now, as he had said before, that there were other points that were in doubt. He would say now, for the purpose of diabusing the minds of the brethren, that if he and his colleagues were not allowed to try this case, so as to get substantial justice, and so that it would be final when it was finished, he did not care about trying it at all. At his time of life, he had no idea of running about from Kentucky and back again to try fancy cases. If the Assembly should come to the conclusion that it could not be tried in the manner indicated, then it was tantamount to protecting parties who would ruin the Synod of Kentucky if let alone.

Rev. Dr. Humphrey said he wished to speak for a moment, as to whether these two cases should be tried together. He wished to say—first, that the Synod of Kentucky neglected, by an oversight, he supposed, to appoint a committee to defend them against this complaint; it was therefore left with the majority here to defend the action of the Synod as best they might. Whether they shall be heard as the original parties, or whether they would be heard when the members of the inferior judicatory were called on, was an important question which he desired to submit. They expected to contend, that in the first place the appeal could not lie; in the second case, they admitted these brethren had a right to bring the matter by way of appeal and complaint. There were some of them who were in the majority in the first case in rejecting Dr. Breckinridge's preliminary motion, but were in the minority in the second case. He (the speaker) voted against the resolution of Dr. Breckinridge, and therefore would be bound to answer to this venerable court; but he voted also against the motion of which he complains, and was with him in the minority. They would see from this statement, that if these two cases were tried together, he and others would be placed in an anomalous condition.

Dr. Breckinridge obtained the floor.

Rev. Mr. Ferguson raised a point of order. On last Friday, a man by the name of Boyd stood before them in an appeal case, and they would not allow him to speak. To-day, a man named Breckinridge was before them, and he was allowed to speak.

The Moderator, pro tem. The appellant has a right to explain the state of the case.

Rev. Mr. Ferguson. It was not permitted in the other case.

The Moderator, pro tem. The Chair knows nothing of that case.

Rev. Dr. Breckinridge said he had not a word to say that was disagreeable, but he would decline a trial of the case unless it could be tried in a way by which a decision would be a decision when it was reached. This case was before the Synod of Kentucky in three forms, and there he moved in making up the roll that these gentlemen should not be allowed to constitute a part of that body. His object was that when the parties were tried, and convicted in the face of the Synod, it should carry with it a decision that they were no longer either competent or fit to perform any functions in the Presbyterian Church. That was the first appeal, and exactly what this court had to decide, and that was what Dr. Humphrey, with great candor, had acknowledged he had voted against. Then there came up an intermediate case upon the motion of another minister, in reference to the Declaration and Testimony; this the Synod refused to touch. The paper was ruled out but subsequently came up in another way and was passed, condemning in extremely gentle terms, compared with what was deserved, what these gentlemen had done. All who were complainants here voted for that paper, and by reason of this it was passed by a small majority. It was a combination of what were called loyal men and middle men against the extreme Southern sympathizers; and the latter were beaten. When the trial was gone into of McMillan against the Presbytery of Louisville for adopting this thing, the gentlemen who were on trial, drew up, signed and filed, a paper, in which they denied the jurisdiction of the body in that case. From that he (the speaker) made a second appeal and complaint against them, on the ground that they had shown the animus of the acts complained of in the first appeal; whereupon, the Synod, after a little while, broke the trial off in the midst of it, and postponed it for another year. They had gone so far as to begin to be ready to call for the decision of the body by the votes of the members. On that vote Dr. Humphrey now states that he voted against the postponement, and might have been one of the appellants but is not. He did not see that the gentleman's objection had altered the case at all, even if it did put him and other gentlemen in an awkward fix. There was no incongruity in the Synod having gentlemen to defend her, in those matters wherein they agreed with her, and other gentlemen defend her wherein the first disagree with her. The difficulty, however, would have been more easily removed if Dr. Humphrey had taken the same view with the rest of them. He repeated that the ends of substantial justice could not be reached unless the cases could be tried together. If they were to separate them, and force a trial of one part and then another, it might only end in a decision that the first case is a grave offense but not adequate to the punishment which both offenses committed by the same men before the same body and under the same proceedings would render it necessary to impose upon them. So with the second one; though a very grave offense, it is more grave when it is considered as a part of a premeditated course, and not as an isolated transaction. The whole of this thing was about the Declaration and Testimony, and the gentlemen who issued that paper, and also the action of the Synod on the various parts of it. He contended further that if they separated the cases it would put them in a position where their judgment would be rendered by piecemeal, and no such judgment would cover the questions involved in the sum total. They might say these gentlemen had done nothing more than to deserve simple condemnation; if so that was the end. But if they put the whole together, it would amount to a grave offense, requiring grave censure. He did not desire that this Assemhly should blow, and then burn and burn and then blow, and keep this thing vacillating from year to year, and never reaching anything definite. He would have nothing to do with any such proceeding as that. For example, it would be plead here that the complaint did not bring the parties to the bar of the house in any form. If they would look at the Digest, under Appeals and Complaints, they would find that a negative decision could be appealed from. After citing various decisions from the Digest, the speaker concluded by saying that if they limited the motion of appeal to purely personal questions, then they would deny that any one had a right to appeal in a personal question except he were a party to the transaction; and if they gave that cast-iron form of interpretation to this matter, then it would be wholly irregular; but he imagined there was not a decision in the existence of the Church that bore out the principle of the decision in the Metcalf case in 1839, and that hundreds of cases could be found, where appeals had been allowed and tried, where the thing was in no sense personal. He appealed to them again to settle this question decisively, and not begin the busines by cutting off the hair of Samson and then tying him with wythes.

The question was raised, who were the original parties in these cases.

Without coming to any decision on the question the Assembly adjourned to three and a half o'clock.

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