

THE
SPIRITUALITY AND INDEPENDENCE
OF THE CHURCH.

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A SPEECH
DELIVERED IN THE SYNOD OF NEW YORK,
OCTOBER 18th, 1864.

BY HENRY J. VAN DYKE,
PASTOR OF THE FIRST PRESBYTERIAN CHURCH, BROOKLYN.

NEW YORK, 1864.

EXTRACTS FROM THE DELIVERANCE OF THE GENERAL ASSEMBLY IN 1845.

[NOTE.—The Rev. Mr Van Dyke takes this opportunity to say that the following extracts from the Assembly's Deliverance in 1845 contain the substance of all he has ever believed or taught upon the subject of slavery.]

“The Church of Christ is a spiritual body, whose jurisdiction extends to the religious faith and moral conduct of her members. She cannot legislate where Christ has not legislated, nor make terms of membership which he has not made. The question, therefore, which this Assembly is called to decide, is this: Do the Scriptures teach that the holding of slaves, without regard to circumstances, is a sin, the renunciation of which should be made a condition of membership in the Church of Christ?

“It is impossible to answer this question in the affirmative, without contradicting some of the plainest declarations of the word of God. That slavery existed in the days of Christ and his Apostles is an admitted fact. That they did not denounce the relation itself as sinful, as inconsistent with Christianity; that slaveholders were admitted to membership in the Churches organized by the Apostles; that whilst they were required to treat their slaves with kindness, and as rational, accountable, immortal beings, and, if Christians, as brethren in the Lord, they were not commanded to emancipate them; that slaves were required to be ‘obedient to their masters according to the flesh, with fear and trembling, with singleness of heart, as unto Christ,’ are facts which meet the eye of every reader of the New Testament. This Assembly cannot, therefore, denounce the holding of slaves as necessarily a heinous and scandalous sin, calculated to bring upon the Church the curse of God, without charging the Apostles of Christ with conniving at sin, introducing into the Church such sinners, and thus bringing upon them the curse of the Almighty.

“The Assembly intend simply to say, that since Christ and his inspired Apostles did not make the holding of slaves a bar to communion, we as a court of Christ, have no authority to do so; since they did not attempt to remove it from the Church by legislation, we have no authority to legislate on the subject. We feel constrained further to say, that however desirable it may be to ameliorate the condition of the slaves in the Southern and Western States, or to remove slavery from our country, these objects, we are fully persuaded, can never be secured by ecclesiastical legislation. Much less can they be attained by those indiscriminate denunciations against slaveholders, without regard to their character and circumstances, which have to so great an extent characterized the movements of modern abolitionists, which so far from removing the evils complained of, tend only to perpetuate and aggravate them.

“The Apostles of Christ sought to ameliorate the condition of slaves, not by denouncing and excommunicating their masters, but by teaching both masters and slaves the glorious doctrines of the gospel, and enjoining upon each the discharge of their relative duties. Thus only can the Church of Christ, as such, now improve the condition of the slaves in our country.

“In view of the above-stated principles and facts,

“Resolved, 1. That the General Assembly of the Presbyterian Church in the United States was originally organized, and has since continued the bond of union in the Church, upon the conceded principle that the existence of domestic slavery, under the circumstances in which it is found in the southern portion of the country, is no bar to Christian communion.

“2. That the petitions that ask the Assembly to make the holding of slaves in itself a matter of discipline, do virtually require this judicatory to dissolve itself, and abandon the organization, under which, by the Divine blessing, it has long prospered. The tendency is evidently to separate the northern from the southern portion of the Church; a result which every good citizen must deplore, as tending to the dissolution of the Union of our beloved country, and which every enlightened Christian will oppose as bringing about a ruinous and unnecessary schism between brethren who maintain a common faith.

ACTION OF THE GENERAL ASSEMBLY OF 1864 ON THE SUBJECT OF SLAVERY.

After enumerating some extracts from some of the former deliverances of the Assembly on the subject, the paper adopted in 1864 proceeds and concludes as follows :

"Such were the early and unequivocal instructions of our Church. It is not necessary too minutely to inquire how faithful and obedient to these lessons and warnings those to whom they were addressed have been. It ought to be acknowledged that we have all much to confess and lament as to our shortcomings in this respect. Whether a strict and careful application of this advice would have rescued the country from the evil of its condition, and the dangers which have since threatened it, is known to the Omniscient alone. Whilst we do not believe that the present judgments inflicted solely in punishment for our continuance in this sin [of slavery] ; yet it is our judgment that the recent events of our history, and the present condition of our Church and country, furnish manifest tokens that *the time has at length come, in the providence of God, when it is His will that every vestige of human slavery among us should be effaced, and that every Christian man should address himself with industry and earnestness to his appropriate part in the performance of this great duty.*

Whatever excuses for its postponement may heretofore have existed, no longer avail. When the country was at peace within itself, and the Church was unbroken, many consciences were perplexed in the presence of this great evil, for the want of an adequate remedy. Slavery was so formidably intrenched behind the ramparts of personal interests and prejudices, that to attack it with a view to its speedy overthrow appeared to be attacking the very existence of the social order itself, and was characterized as the inevitable introduction of an anarchy, worse in its consequences than the evil for which it seemed to be the only cure. But the folly and weakness of men have been the illustrations of God's wisdom and power. Under the influence of the most incomprehensible infatuation of wickedness, those who were most deeply interested in the perpetuation of slavery *have taken away every motive for its further toleration.* The spirit of American slavery, not content with its defences to be found in the laws of the States, the provisions of the Federal Constitution, the prejudices in favor of existing institutions, and the fear of change, has taken arms against law, organized a bloody rebellion against the national authority, made formidable war upon the Federal Union, and in order to found an empire upon the corner-stone of slavery, threatens not only our existence as a people, but the annihilation of the principles of free Christian government ; and thus has rendered the continuance of negro slavery incompatible with the preservation of our own liberty and independence.

In the struggle of the nation for existence against this powerful and wicked treason, the highest executive authorities have proclaimed the abolition of slavery within most of the rebel States, and decreed its extinction by military force. They have enlisted those formerly held as slaves to be soldiers in the national armies. They have taken measures to organize the labor of the freedmen, and instituted measures for their support and government in their new condition. It is the President's declared policy not to consent to the reorganization of civil government within the seceded States upon any other basis than that of emancipation. In the loyal States where slavery has not been abolished, measures of emancipation, in different stages of progress, have been set on foot, and are near their consummation ; and propositions for an amendment to the Federal Constitution, prohibiting slavery in all the States and Territories, are now pending in the National Congress. So that, in our present situation, the interests of peace and of social order are identified with the success of the cause of emancipation. The difficulties which formerly appeared insurmountable, in the providence of God, appear now to be almost removed. The most formidable remaining obstacle, we think, will be found to be the unwillingness of the human heart to see and accept the truth against the prejudices of habit and of

interest; and to act towards those who have been heretofore degraded as slaves, with the charity of Christian principle in the necessary efforts to improve and elevate them.

In view, therefore, of its former testimonies upon the subject, the General Assembly does hereby devoutly express its gratitude to Almighty God for having overruled the wickedness and calamities of the rebellion, so as to work out the deliverance of our country from the evil and guilt of slavery; its earnest desire for the extirpation of slavery, as the root of bitterness from which has sprung rebellion, war, and bloodshed, and the long list of horrors that follow in their train: its earnest trust that the thorough removal of this prolific source of evil and harm will be speedily followed by the blessings of our Heavenly Father, the return of peace, union, and fraternity, and abounding prosperity to the whole land; and recommend to all in our communion to labor honestly, earnestly, and unweariedly in their respective spheres for this glorious consummation, to which human justice, Christian love, national peace and prosperity, every earthly and every religious interest, combine to pledge them.

RESOLUTION

OFFERED IN THE SYNOD OF NEW YORK, AT ITS MEETING IN JERSEY
CITY, OCTOBER 18th, 1864,

By HENRY J. VAN DYKE.

WHEREAS, The General Assembly of 1864, in its action on the subject of Slavery, has fully endorsed "*the President's declared Policy not to consent to the re-organization of civil government in the Seceded States upon any other basis than that of Emancipation;*" affirming that the said policy is in accordance with the will of God, and that all in our communion are pledged by every earthly and every religious interest to labor unweariedly in their respective spheres for its consummation;—

AND WHEREAS, the Assembly has thus virtually exerted its influence in support of that political party which has selected the President for its candidate, and adopted his declared policy as its platform in the approaching presidential election;

AND WHEREAS, in the case of the REV. DR. MCPHEETERS, the Assembly did apparently sanction the interference of the secular power with the spiritual affairs of our churches, the enforcement of political test oaths as a qualification for members sitting in our church courts, and the proscription of christian ministers, against whom there is no charge of heresy or crime, upon the ground that they entertain, or are supposed to entertain, certain political opinions;—Therefore,

Resolved, That this Synod, while disavowing for itself all intention of entering directly or indirectly into the political contests of the day, does solemnly affirm and declare;—

1. That, according to the Word of God and the Constitution of the Presbyterian Church, the General Assembly has authority "to handle or conclude nothing but that which is ecclesiastical"; that it has no right "to intermeddle with civil affairs which concern the commonwealth, unless by way of humble petition in cases extraordinary, or by way of advice for satisfaction of conscience, if thereunto required by the civil magistrate"; (CONFESSION OF FAITH, ch. XXXI: sec. 4,) that its "power is wholly moral or spiritual, and *that* only ministerial and declarative"; that the limits within which this ministerial and declarative power may be lawfully exercised are clearly defined in ch. XII, of our Form of Government; and that all acts and declarations of the

Assembly which are contrary to, or aside from, these limits are null and void.

2. That all interference of civil magistrates or military commanders with the spiritual affairs of our churches—whether to destroy or restrict the right of the people to choose their own religious teachers, to define the qualification of members of our church courts, or to prescribe to ministers the doctrines they shall preach to men or the prayers they shall offer to God—is a violation of the true principles of religious liberty and an invasion of the prerogatives of Jesus Christ, who alone is head of the Church. See CONFESSION OF FAITH, ch. XXXIII: sec. 3.

3. That the bond of union, the measure of obligation, and the charter of ecclesiastical rights for all the ministers and members of the Presbyterian Church, is the Word of God as expounded and summed up in our Confession of Faith, Form of Government, Book of Discipline, Catechisms and Directory for Worship; and that no minister or church-member can be lawfully impeached or proscribed, except upon conviction of heresy or crime according to the rules therein provided.

4. That the appropriate business of Christ's ambassadors is to preach the gospel for the conversion of sinners and the edification of saints in their most holy faith, and that for our ministers to devote themselves unweariedly in their respective spheres to the consummation of the declared policy of any political party, would be unwise, unscriptural, injurious to the best interests of the church and of society, and a dereliction from their divine commission, in the discharge of which they are taught by inspired precept and example to "know nothing but Jesus Christ and him crucified."

S P E E C H.

MR. MODERATOR : Amid the agitations of these troublous times, the Synod of New York has adhered with dignity and fidelity to its appropriate ecclesiastical business, forbearing entirely "to intermeddle with civil affairs which concern the commonwealth." It has thus secured a large share of veneration and respect, has done much to preserve the unity of the Spirit and the bonds of peace among the churches under its care, and, as I verily believe, has merited and received the approbation of Him whose kingdom is not of this world.

The paper before you is not intended to disturb our peace, nor in the least to divert this venerable court from the wise and scriptural course it has hitherto pursued. The subjects embraced in this paper are strictly spiritual and ecclesiastical. The principles it enunciates lie at the foundation of the Church. The declarations it proposes are all within our province as a court of Christ, are consistent with the course we have hitherto pursued, and a vindication of that course, and, as it seems to me, are imperatively demanded by our present circumstances.

You are not asked to decide or discuss any political or secular question ; but simply to *disavow* certain acts in which the General Assembly has transcended the limits of its authority as clearly defined in our standards. These acts I regard as constituting both a personal grievance, and a great public wrong, which, if persisted in, cannot fail to produce strife and schism in the bosom of the church. With this deep seated conviction, I could do no less than to present this paper to the Synod ; and if it can be shown that this conviction is well founded, you can do no less than to make the disavowal which is desired at your hands.

The paper before you asserts that the spirituality and the independence of the Church have been compromised and violated by the action of the General Assembly.

The *spirituality* of the Church is abundantly set forth in our standards of faith and order. The language of these standards upon the subject is so explicit that he who runs may read and understand it.

(1.) We have general declarations as to the nature and mission of the Church, both visible and invisible. The invisible Church "consists of the whole number of the elect that have been, are, or shall be, gathered

into one under Christ, the head thereof; and is the spouse, the body, the fulness of him that filleth all in all.”—[*Confession of Faith, Chap. 25, Sec. 1, 2.*] The visible Church “consists of all those, throughout the world, that profess the true religion, together with their children; and is the kingdom of the Lord Jesus Christ, the house and family of God.” This simple definition of the Church declares her mission, and describes the limits of her work. She does not belong to any age or nation. She may be partly in the United States of America, but she is not of the United States. Under the old Theocracy, she was identified for a time with the Jewish nation, and her interests were temporarily bound up with the preservation and prosperity of an earthly kingdom; but, when the purposes of this peculiar and temporary economy were accomplished, and the only promises God ever made to a nation, as such, were forfeited by the apostacy of the Jews, the Church was no longer *national* in any sense: she is henceforth *universal*, composed of men of all nationalities and of all varieties of human condition, united upon the simple basis of their professed union to Christ, and constituting in themselves, irrespective of all earthly distinctions, “a chosen generation, a royal priesthood, a holy nation.” “If,” said John Milton, “Church and State shall be made one flesh again as under the law, let it be withal considered, that God, who then joined them, hath now severed them: that which was then a lawful conjunction, He so ordaining, to such on either side as join again what He hath severed, would be nothing now but their own presumptuous fornication.” The Church of Christ, as Paul argues in the third chapter of the Epistle to the Galatians, is the outgrowth and fulfilment of that covenant made with Abraham four hundred years before the giving of the law, and which “the law could not disannul.” Her mission in the world is to bless all nations; shining, like the sun, upon all, but being identified with none. It is her simple but sublime function to preach the gospel to every creature, to gather in the elect from the four winds of heaven, to edify the mystical body of Christ. Accordingly, God has given her, in the New Testament, a form of Government complete within itself, and entirely separate from all human politics; a kingly government, of which Christ is the head, and his ministers the ambassadors and agents. Now, this government is fully defined and set forth in our standards; and I challenge any man to show in these standards, or in the Bible, of which we believe they are a true exponent, a single intimation that the Church may lawfully extend her jurisdiction, or put forth her agency, one inch beyond the preaching of the gospel to every creature and the regulation of her own internal and spiritual affairs.

(2.) But our standards do not stop with these general declarations as to the nature and mission of the Church. We have also very explicit statements as to the appropriate province of our church courts. “Synods and

councils are to handle or conclude nothing but that which is ecclesiastical, and are not to intermeddle with civil affairs which concern the common-wealth." Can anything be more explicit than this? Again, "their power is wholly moral or spiritual, and *that* only ministerial or declarative." Even in regard to *spiritual things* they have no right to inculcate doctrines, to make proclamations, or to enjoin observances of any kind, except so far as they are warranted and moved thereto by the revealed will of God. "They possess the right of requiring obedience *to the laws of Christ.*" But beyond this they may not go, to enforce any obligation which He has not imposed in his written word, to conserve any interest which He has not declared to be essential to his spiritual and everlasting kingdom, or even to recommend any course of human conduct which they cannot establish and seal by the divine sanction of "thus saith the Lord." It is not for them to supplement or enlarge the statutes that "furnish the man of God unto all good works," by their expositions of that mysterious Providence of which God himself is the only true interpreter. They are to repeat and enforce what he *says*; what he *intends*, beyond and aside from this, it is none of their business to declare. The Assembly recognized and clearly expounded this organic law of all our church courts in its action on the subject of Temperance in the year 1848: "The Church of Jesus Christ is a spiritual body, to which have been given the ministry, oracles, and ordinances of God, for the gathering and perfecting of the saints in this life to the end of the world. It is the great instrumentality of the Saviour through which, by his eternal spirit, he dispenses salvation to the objects of his love. Its ends are holiness and life, to the manifestation of the riches and glory of divine grace, and not simply morality, decency, and good order, which may, to some extent, be secured without faith in the Redeemer, or the transforming-efficacy of the Holy Spirit. The laws of the Church are the authoritative injunctions of Christ, and not the covenants, however benevolent in their origin and aim, which men have instituted of their own will; and the grounds of obligation which the Church, *as such*, inculcates is the authority of God speaking in his word, and not pledges of honor which create, measure, and define the peculiar duties of all voluntary associations. In this Kingdom of God the Holy Scriptures are the only rule of faith and manners; and *no Church judicatory ought to pretend to make laws* which shall bind the conscience, or *to issue recommendations which shall regulate manners without the warrant, explicit or implied, of the Revealed will of God.*"

I call your attention especially to the last sentence of the foregoing extract. The Assembly of 1848 solemnly affirms that "no church court ought to *pretend to issue recommendations* which shall regulate manners without the warrant, explicit or implied, of the REVEALED will of God." We shall see presently how far, in the stormy days of 1864, the Assembly

adhered to the deliberate and dispassionate judgment of the Church in 1848.

(3.) Besides these declarations as to the appropriate province of church courts in general, we have, furthermore, a clear definition of the jurisdiction and province of the General Assembly in particular. Chapter XII, secs. 4 and 5, of our Form of Government tells us exactly what the Assembly may lawfully do. And it is to be presumed that no one here will dispute the doctrine, that where there is a written law, specifically defining the powers of a representative body, the body whose powers are so defined cannot go beyond that law without violating its own constitution, and breaking covenant with its constituents. Now, what are the powers of the General Assembly? (Read chap. XII, secs. 4 and 5 of the Form of Government.) Now, Sir, these statutes speak for themselves. They are so plain that it is impossible to misunderstand their meaning, And I desire you to notice that in those sentences which describe the Assembly's general powers—powers which, in days of excitement and spiritual declension, are most liable to be stretched—there is a restricting clause, designed to interpose an effectual barrier to all usurpation or abuse of authority. For example, the Assembly is "to constitute a bond of union, peace, correspondence, and mutual confidence *among all our churches*;" it is to superintend the concerns (not of the nation, but) of "the whole *Church*;" it is to recommend reformation of manners, and the promotion of charity, truth, and holiness through *all the Churches under its care*." Not only is its power spiritual, and *that* ministerial and declarative, confined to the simple exposition and enforcement of what God has revealed in His word; but the province in which this power is to be exercised is not the State, nor society in general; it is the *Church*, beyond which her only function is to proclaim the gospel, and call men out of the world into the kingdom of God's dear son.

Before attempting to show wherein the General Assembly has violated these three great principles, as to the nature and mission of the Church, the appropriate province of Church courts in general, and the limits of her own constitutional authority in particular, let us dwell for a moment on their importance. They lie at the very foundation of the apostles and prophets, of which Jesus Christ is the chief corner stone. Humanly speaking, the Church never could have been established, nor could christianity have been propogated with the marvellous success which signalized her early history, without their clear recognition. The city of God under the New Testament, was built at the confluence of three civilizations. Greek, Roman, and Jew were jostling together in the currents of trade and the conflicts of political opinion, and every interest of human society was involved in the contest. The Roman Empire was stretching forth the mailed hand of her power over rebellious provinces, and struggling in the first throes of those

great revolutions which resulted in her final dissolution. Men felt then, as they have felt since, that they were living in the most wonderful age of the world, and that everything valuable on earth would be lost unless *their* views of government and politics were carried out.

To guard the Church against the strife and schism which these conflicts of opinion and interest would naturally occasion, was one great object of the apostles. It was the hardest task they had to perform. They performed it with many tears, and often at the risk of censure and persecution from their own brethren. And how did they seek to preserve the peace and unity of the Church? Did they enter into the political and military contests of the countries through which the saints were scattered abroad, or undertake, inspired and infallible as they were, to decide the questions of political allegiance and secular interest by which the world and christians in the world were divided? Did they in anywise identify the Church of Christ with the Roman Empire on the one hand, or with the down trodden but still struggling nationality of the Jews on the other? Did they seek to cultivate among the christian graces, and the fruits of the spirit, that *patriotism*, which is confessedly one of the finest impulses of the human heart, but still a purely *natural* affection, gathering some of its brightest trophies and most illusurious examples from the history of heathen Rome and mythological Greece? If the apostles pursued any such course as this, the inspired history and the records of the primitive Church have failed to record it. Let those who now advocate such methods, show us their scriptural warrant. It will not do to appeal on this point to Old Testament examples. In regard to the question in hand, there is no parallel between the position of the Jewish prophet and that of a Christian minister; for the Jewish commonwealth constituted in all stages of its history a *pure Theocracy*. David was anointed of God, as the type of Christ, and his kingdom was the dim foreshadow of that kingdom which is not of this world. He was not only King, but Prophet. When he uttered imprecations upon the enemies of the Jewish State, *God* spake through him against *His* enemies and the enemies *of the Church*. When he poured out his passionate love for Jerusalem, his prophetic soul was enraptured with the glories of the new Jerusalem coming down from God out of heaven. And now, it is sheer ignorance, if it be not blasphemy, for a New Testament minister, whose head Samuel has not anointed, and whom God has not moved by inspiration of the Holy Ghost, to seize the scepter and harp of David, and put on the mantle of Elijah, and dwarfing the prophecies into mere temporal predictions, to apply them to a nation whom God has never chosen as he did the Jews, or to a human government which he has not set up as he did the old Theocracy. The proofs we demand must be found, if found at all, in the examples of Christ and his apostles. Are there any such proofs? Where? - In the Saviour's

wise avoidance of the snare which the Herodians set for him in regard to the disputed question, as to the lawfulness of Cæsar's government over subjugated Judea? Or in his refusal to be a judge or divider over men in regard to the division of an inheritance among brethren? Can they be found in the records of the first synod or ecclesiastical council assembled in Jerusalem at a time when the world was preparing to witness such civil strife and wo, as never have been before, and never will be again?

Is there in all the recorded sermons or epistles of the apostles, a single decision or utterance upon questions of disputed political allegiance, or governmental policy? No sir, they cannot be found. The apostles left Cæsar to attend to Cæsar's affairs, and devoted themselves exclusively to the work Christ had commissioned them to do. They preserved the unity of the Church amid all the changes and strifes of their day, and for many generations after, by insisting on the true nature of Church unity, as pertaining *only to spiritual things*. They plead for unity upon the broad basis of the gospel, and insisted upon christian liberty in regard to everything aside from the gospel. In their teaching they knew nothing but "Jesus Christ," and him crucified. While politicians and excited multitudes cried "we have no King but Cæsar," they cried in the church "we have no King but Jesus." And in their ecclesiastical action, they undertook to conserve no interests but the interests of Christ's spiritual kingdom. It was not until these principles, and this inspired example was departed from—not until the Church began to be localized and secularized—not until her ministers and courts began to intermeddle with civil affairs, and to transfer the contests of the Senate and the Camp to the house of God, that the love of the Church waxed cold, and the glory of her early spiritual triumphs departed.

The subsequent history of the Church, in every age, fully vindicates the wisdom of the apostles, and the soundness of the great principle that the province of the Church is purely spiritual.

Oh, that our General Assembly, even amid the storm that was sweeping over the land, had heeded the voice of our standards and the lessons of history, and kept herself in a position to pour oil on the waves of party passion, and bind up the wounds of civil conflict with the sweet ointment and clean linen of the gospel of peace. It is the first step that costs. When the Assembly of 1861 undertook to decide the question which has divided statesmen and politicians ever since the United States have had an existence—(the question whether, under the Constitution, political allegiance is due primarily to the State or to the Federal Government)—many of our ministers and elders protested, not against the particular decision which was made, but against *the assumption of authority to decide such questions at all*. They thought that if the right and the duty to decide civil questions in our church courts were once conceded, this concession

would be like the letting out of water. That protest is one of the memorials which future ages will honor as a landmark in the history of the Church; and, if the next four years shall be marked by the same kind of progress that has characterized our ecclesiastical legislation during the four years just past, it will shine as a lamp in a dark place, and be looked back to by thousands with the regret that gathers around the remembrance of a faithful but disregarded warning. Nay, it is so regarded now by multitudes who love the Church and mourn sincerely over the conformity to this world by which she has defiled her garments, and the seeds of fire she has planted in her own bosom.

The action of the last Assembly on the subject of slavery is the lowest depth yet attained in its course of political legislation. I know not whether there is yet any lower deep to be opened. Now, on this point I *will not* be misunderstood. There can be no valid objection to the Assembly's discussing and making deliverances upon the subject of slavery. It is a scripture subject. Moses and Paul discuss it. The Bible is full of the subject; and the great sin we have committed is, that while baptized infidels and humanitarians of every grade have been insinuating their theories into the mind and conscience of the Church, through a thousand channels, we have been afraid to expound the Word of God as he has written it, and as Christian commentators have understood it from the beginning. Neither do I object now upon the ground that the Assembly's last deliverance is inconsistent with scripture or with its former declarations. Upon that point I have nothing to say in the present discussion. But what I assert, and propose to prove, is, that in connection with this subject of slavery, and under the cover of it, the Assembly has handled and determined a question which is *purely political*, and *entirely beyond its appropriate province*; and that in so doing, it has transcended its authority, violated the constitution of the Church, and invaded the liberty wherewith, according to our standards, Christ has made his people free.

MR. MODERATOR: There are in this country two great political parties, each of them embracing ministers and members of our Church. Now, what is the great question in dispute between these parties? Simply this, *the basis on which the Union shall be reconstructed*. One party, through its chosen leader, has declared "the policy not to consent to the reconstruction of civil government in the seceded States upon any other basis than that of emancipation." The other party insist, that this policy of emancipation is revolutionary, unconstitutional, and impracticable, and adapted only to protract the horrors of civil war; that peace ought to be, and can be, established only on the basis of the *Union as it was and the Constitution as it is*. This is *the point*, and almost the only point, in dispute between the two great political parties, as I could easily show, if it were necessary, by documentary evidence.

Now, I do not say which party is right in this contest. While I have my own opinion, and mean to have it, I would deprecate and resist any declaration from this Synod, by which its influence, as an ecclesiastical body, would be arrayed on either side. But I do insist that, under our Confession of Faith and Form of Government, to say nothing now about the Christian expediency of such a course, the General Assembly had no constitutional right to step in between these two political parties and take sides with one of them in regard to the great question by which they are divided. Will any candid man deny that the Assembly has virtually, if not formally, done this? I do not presume to affirm that the gentleman who introduced and advocated the deliverance on slavery with so much legal tact and ability, *meant* thereby to advance the interests of one political party to the detriment of the other; still less do I intimate that the members of the Assembly were influenced by party zeal in its adoption; but surely no one can fail to see, or will venture to deny, that it throws the whole moral influence of the Assembly in favor of one political party and that if its recommendations were faithfully carried out in the true spirit and intent, every minister and every member of the Presbyterian Church would be an adherent of that party.

The head and front of the document is the following sentence, which is italicized in the Minutes of the Assembly: "*It is our judgment that the recent events in our history, and the present condition of our Church and country furnish manifest tokens that the time has at length come, in the providence of God, when it is His will that every vestige of human slavery among us should be effaced, and that every Christian man should address himself, with industry and earnestness, to his appropriate part in the performance of this great duty.*"

Now, upon what did the Assembly base its judgment as to the will of God, and by what sign from heaven is the solemn proclamation of that will authenticated? The humblest member in the Church has a right to ask this question. Jesus Christ gave the "sign of the Prophet Jonah," even to "a wicked and adulterous generation." Is it irreverent or presumptuous in me to demand what are the "manifest tokens" by which the Assembly ascertained the will of God in regard to emancipation?

It is not pretended that these tokens are found in the Holy Scriptures, which we acknowledge to be the only infallible rule of faith and practice. In the whole document, as adopted by the Assembly, there is not one quotation of scripture, nor the most distant allusion to any such book as the Bible. Now, is not this marvellous? An Assembly, whose authority is confessedly only ministerial and declarative; whose own solemn testimonies affirm that "no Church judicatory ought to pretend to issue recommendations which shall regulate manners, without the warrant, explicit or implied, of the *revealed* will of God," this Assembly makes a deliverance, designed not

only to "regulate manners," but to influence the policy and destiny of a nation, upon a subject on which God in his holy Word has spoken explicitly and repeatedly, and yet this deliverance does not contain one appeal or allusion to the Bible. As though God had not spoken, or as though they were authorized to supplement his revealed will, the Assembly turn from what is written to the prognostication of providences not yet completed. I will not trust myself to comment on this fact. It is sufficient to state it. The Assembly did not find the manifest tokens of God's will in the Bible.

Neither can it be successfully maintained that these tokens are found in the former deliverances of the Assembly. It is true that some of the former testimonies are quoted in part, but the declaration that "*an immediate and universal emancipation would be inconstant alike with the safety and happiness of the master and the slave,*" is omitted in the citation from the action of 1818; and the action of 1845, the most elaborate and carefully drawn of all the Assembly's deliverances on the subject, and, indeed, the only one in which the word of God is fully expounded and declared, is utterly overlooked and ignored.

Neither, again, will it be asserted that these tokens are found in the Providence of God during nearly four thousand years, from the days of Abraham to the year 1861, during all which time slavery has been permitted to exist, and according to the Assembly's declaration in 1845 has been recognized and regulated by the word of God. What, then, are these "manifest tokens?" They are all of recent growth. They appear to the eyes of the Assembly through the smoke and blood of a civil war still raging, and the dust and noise of a political contest not yet decided. They hinge upon, and must stand or fall with "the President's declared policy not to consent to the reorganization of civil government in the seceded States, except upon a basis of emancipation." They are such as these: the President's "proclamation abolishing slavery, and decreeing its extinction by military force;" the measures of emancipation" which are said to be set on foot and near their consummation in the loyal States; "the proposition for the amendment of the Federal Constitution, prohibiting slavery in all the States and Territories." These are among the "manifest tokens" of the will of God; and they are *political party measures, every one of them*. They form a part of the President's declared policy; but whether they shall be carried out is a question yet to be decided by the issues of a great military and political contest. And even if they were all accomplished, it might still be a question whether they are manifest tokens of anything more than the *permissive* will of God. This whole proceeding on the part of the Assembly fills me with alarm and sorrow. I cannot but ask such questions as the following: Is it wise for God's ministers to declare His will in reference to matters not revealed, amid the heat and

excitement of such a time as this, and that, too, in regard to providences not yet finished? If the result should be different from what they expect or desire, will not religion be brought into contempt? Ought they to take the declared policy of any civil magistrate or human government for a manifest token of His will, whose throne is surrounded with clouds and darkness? Are not ministers and elders, like other men, liable to be biased by their own interests and passions? These, however, are not the questions which this synod is asked to decide. The paper before you simply affirms that the Assembly transcended the limits of its authority when it endorsed, as an evidence or an execution of the will of God, the declared policy of one, who is not only President, but a candidate for office.

After enumerating six party measures and recognizing them as "manifest tokens" of the will of God, viz., the President's abolition proclamation and "decree," the enlistment of negro soldiers, the "organization of the labor of the freedmen, *the President's* declared policy in regard to reconstruction, the emancipation measures in progress in the Border States, and the proposed amendment to the Constitution of the United States abolishing slavery: after enumerating these measures, not one of which has yet been consummated, except the enlistment of negro soldiers, the Assembly proceeds, from such premises, to draw this broad conclusion—"So that the interests of peace and social order are IDENTIFIED WITH THE SUCCESS OF THE CAUSE OF EMANCIPATION." It was not necessary to go further. Even the recommendations which follow are superfluous. Every politician in the land, and every voter capable of reasoning, can easily construct the syllogism of which the Assembly has given the major premise.

Here is the syllogism :

"The interest of peace and social order are *identified* with the success of the cause of emancipation ;

The success of the cause of emancipation is identified with the success of the Republican party ;
therefore the interests of peace and social order are identified with the success of the Republican party, and every lover of peace and order is bound to vote for that party.

But did not every man in the Assembly and out of it know that a large and respectable party, embracing as good men and as sound Presbyterians as there are in the Church, utterly deny and repudiate the first premise, and strenuously oppose all the political measures upon which it is based? The President's proclamation and decree is universally held by the Democratic party to be unconstitutional, and void "as the Pope's bull against the comet;" the enlistment of negro soldiers is regarded by many as an injury to the Federal arms; the so-called "organization of the labor of freedmen" is looked upon by many true friends of the negro as a new and more wretched form of slavery; the President's "declared policy" is

denounced from every Democratic press and rostrum as *the obstacle* to peace and order which must be removed at the coming election; the measures of emancipation in "the loyal States" can be consummated only by the overthrow of one political party in those States; the *proposed* alteration of the constitution, in order to abolish slavery, is an admission that the constitution, as it now stands, is *in the way* of such abolition; and the whole proposition, so authoritatively announced by the Assembly, "that the interests of peace and social order are identified with the success of the cause of emancipation," is not only a virtual endorsement of the plans and purposes of the Republican party, but a virtual condemnation of the whole policy and plans of the opposite party.

And yet, in the face of that opposing party, thousands of whose adherents sit at our communion tables and preach in our pulpits, the Assembly goes on to say that "the most formidable remaining obstacle will be found to be the unwillingness of the human heart to see and accept truth against the *prejudices* of habit and interest."

Now is this so? Is prejudice the *most formidable remaining obstacle* to the success of the cause of emancipation as proclaimed and decreed by the highest executive authorities? Is a sacred regard for that part of the Constitution which it is proposed to amend a mere *prejudice*? Is it a mere prejudice to hold with many of the soundest statemen and purest christians in our communion, that written covenants and unrepealed statutes lie in the way of the President's declared policy? Is it mere prejudice to believe, as the whole Democratic party professes honestly to believe, that this whole emancipation policy is delaying the dawn of the blessed day of peace and union, and desolating the fairest portions of the earth with unnecessary conflagration and slaughter? Is it mere *prejudice* for a Presbyterian minister or church member to believe now what the Assembly declared in 1818, that "an immediate and universal emancipation would be inconstant alike with the safety and happiness of the master and the slave?"

Well, sir, if all this can possibly be mere prejudice, only God and the revelations of the judgment day are competent to *decide* that it is. It is not for any uninspired Assembly thus to sit in judgment upon the hearts of a whole political party; and especially it is not for an ecclesiastical court, whose powers are clearly defined, to step out of its jurisdiction, and without any warrant of the *revealed* will of God, to decide questions in dispute between political parties, in both of which there are thousands whose christian sincerity is unimpeached.

Nor did the Assembly content itself with endorsing the policy of a political party. It goes much further, and lays upon "all in our communion," upon ministers, and elders, and church members, upon every one who claims to be a law-abiding Presbyterian, upon every friend of his country, upon every lover of justice and humanity, a solemn recommenda-

tion to set forward and labor for the consummation of that policy by every means in his power. It says, that "the interests of peace and of social order are identified with the success of emancipation;" that we are pledged to labor for this cause by the combined obligation of "every earthly and every religious interest." That is to say, if language means anything, the Assembly recommends to all her ministers, under pain of being held recreant to every pledge that binds them as ministers and men, to preach and pray in their respective spheres for the success of the "President's declared policy;" and since that policy cannot be consummated unless he is re-elected, all in our communion are virtually recommended to *vote* for him in preference to the other candidate.

Now, sir, in the presence of God, and his Church, I put it to you, whether it was kind, or wise, or *lawful*, for the Assembly to do this thing? Was it competent for a court of Jesus Christ, assembled in his name, for the transaction of business pertaining to his spiritual kingdom—was it consistent with the design and province of the Assembly, as "the bond of union, peace, correspondence, and mutual confidence among the Churches" (Form of Government, ch. 12, sec. 4,) to descend as a combatant into the arena of political strife? Had the Assembly a right to lay this new burden on the conscience of its ministers, to put into the hands of those who may be disposed to disturb the peace of the Churches by transferring the strifes of this world into the house and family of God, this new weapon with which to embarrass them in their honest labors for the salvation of souls? Had the Assembly a right to direct my conduct as a minister or as a man in matters concerning which the Word of God and the standard of our Church have given no direction whatever? No! The Assembly transcended its legitimate powers. Might I not say, will not the dispassionate judgment of the future say that, under the pressure of a mistaken zeal, it violated the bond of peace and mutual confidence among all our Churches?

Mr. MODERATOR: When I adopted the Confession of Faith and Form of Government of the Presbyterian Church, and solemnly promised, in my ordination vows, to submit to my brethren *in the Lord*, I did not consent that any church court should direct me how to vote as a citizen, what political policy I should sustain, or whether I should sustain *any* political policy; and even though the deliverances of the Assembly on such subjects should correspond exactly with my own opinion, I would hold and declare them to be *null and void*. As a minister of the Presbyterian Church I owe allegiance only to my blessed and glorious king, Jesus Christ, and the charter of my rights and measures of my obligations is the Word of God summed up in our accepted standards of Faith and Order.

My commission, as an ambassador of Christ, is already written with sufficient clearness. It needs no addition from the "declared policy" of

any civil magistrate or political leader. "The manifest tokens" of the will of God in regard to the objects for which I am to "labor honestly, earnestly, and unweariedly in my appropriate sphere" were written eighteen centuries ago in that gospel which I am ordained to expound and proclaim. With the utmost respect for its legitimate authority, I say the General Assembly has neither the right nor the ability to add to these tokens, nor to enlarge these objects, by uninspired prognostications of that providence in which God "plants his footsteps in the sea, and rides upon the storm." Let the car of providence and of prophecy roll on, whithersoever the King in Zion, in his secret councils, may direct its course; it is the business of the General Assembly, as well as of the humblest member of our communion, *to ride behind*. And I say this, not as a mere matter of abstract right; but because I tremble to contemplate the scene our Church would present if our ministers should carry out the instructions of the Assembly to their legitimate results. We should have "confusion worse confounded;" the Sabbath-day made hideous by the strife and tumult of the week, and the house of God defiled by the contests of Republicans and Democrats more than it was by the presence of the money changers whom Christ drove with a whip of small cords from the temple. How far this result has already been reached in other Christian denominations and in some of our own churches, I leave you to judge. I consider myself pledged "by every earthly and every religious interest" *not* to do what the Assembly recommends. The history of past civil wars, and the testimony of God's faithful witnesses in former days of tribulation, warn us to keep this contest out of the Church, and to devote ourselves, as ministers, to the preaching of the gospel and to the cure of souls. Let me quote a single specimen of the testimony to which I refer. In the year 1776, the empire of Great Britain, possessing what was, at that time, "the best government on the face of the earth," as every student of history will admit, was convulsed to its centre with foreign war and internal dissension. Her own colonies were in rebellion; France was preparing to strike a deadly blow at her national existence; and strife between political parties was at fever heat. At this time AUGUSTUS TOPLADY, whom no one will accuse of disloyalty to the State, or of extreme views in regard to the spirituality of the Church, uttered these memorable words: "Few men have been more prone to dabble in politics than some divines. And it must be added that, in general, few men have acquitted themselves more lamely upon that subject than those reverend daubers with untempered mortar. The truth is, that those of the clergy who mostly content themselves with paddling in the shallows of a superficial morality, step much beyond the line both of their ability and of their proper department when they attempt to fathom the deep waters of politics. For it is well known that (in past ages, at least) politics and morality have had but very slender connexion with each other. As to those of us who deem it our duty to preach the gospel, and to know nothing among our people but Jesus

Christ and him crucified, we, of all persons in the world, should religiously abstain from whatever may conduce to cherish the seeds and fan the fires of civil discord. Shocking it is when they who profess to experience and to preach the love of Christ, can so far prostitute the dignity and design of their sacred calling as to offer fulsome incense at the shrine of aggrandized authority, or seek to exasperate differing parties against each other; instead of laboring to preserve unity of spirit to strengthen the bonds of peace and promote righteousness of life. Such bad men in black pay very little attention to that solemn vow which they took at the time of their ordination, when they pledged themselves to God and man that they would lay aside the study of the world and of the flesh, and maintain and set forward, as much as in them lieth, quietness, peace, and love among all Christian people. Our direct business is with the policy of an invisible and better country; even of a kingdom which is not of this world. On one hand, we are to sound the trumpet, not of secular, but of spiritual alarm; and on the other, to proclaim unto them that mourn, and to them that believe in Zion,

‘The joyful news of sins forgiven,
Of hell subdued, and peace with heaven,’”

MR. MODERATOR, the words of Toplady are just as true and as applicable in New York and all over the land, to day, as they were in London when our mother country was passing through the most eventful crisis of her history. Dearly as I love my whole country—and I will not stop to sound a trumpet before me on that point; proud as I am, and perhaps too proud, of her early history; and hopeful as I am that God will yet mercifully deliver her from the judgments our sins have provoked; I do not believe, but reject as blasphemous, the sentiment so often uttered even by christian ministers, *that God cannot do without the United States*, that the Church of Christ is in anywise identified with or dependant upon our national existence. According to my reading of God's covenant oath to his son, (in Psalm II,) the kingdoms of this world are given to Zion's King, that he “may break them with a rod of iron, and dash them in pieces as a potter's vessel.” And whether it is his inscrutable purpose to dash this nation in pieces or not, the foundations of the Church are secure.

Dr. Watts has given us the true interpretation of that precious lamentation and vow which the children of the captivity poured out by the rivers of Babylon. (Psalm 137.) It was not, as some would have it, a mere expression of temporal allegiance and patriotic affection. It was something higher and better.

“I love *thy Kingdom* Lord,
The house of thine abode,
The *Church* our blessed Redeemer saved
With his own precious blood.
For *her* my tears shall fall,
For *her* my prayers ascend,
To *her* my toils and cares be given,
Till toils and cares shall end.”

MR. MODERATOR, I adopt those words as my own ; and by my love for her whom Christ loved and redeemed with his blood, by my allegiance to him who claims the Church as his spouse pure and undefiled, I *will not*, even at the behest of the General Assembly—I *will not* devote myself unweariedly to the consummation of “the declared policy” of any civil magistrate, or of any candidate for political office, or even to the perpetuity of any earthly kingdom. And I say this, not merely as a christian minister, but as a patriot. The true peace and prosperity of nations must ultimately depend upon the christian character of the individual citizen ; and ministers can best promote the growth of whatsoever is lovely and of good report among the people when they stand aloof from the conflicts and excitements of political parties.

The second subject embraced in the paper before you, is the *Independence of the Church*.

MR. MODERATOR, all history shows that wherever the Church goes out of its proper sphere to “intermeddle with civil affairs which concern the commonwealth,” the state will not be slow to return the back-handed compliment, and intermeddle with spiritual affairs which concern the Church. How can we expect it to be otherwise ? Let it once be admitted by her own declarations, that the Church, as such, is the supporter and advocate of any particular form of human government, the ally and counsellor of any potentate or president ; and especially, let it once be admitted by her own acts that she may enter into political strife, and become the supporter of any party in the state, and it becomes at once the interest, and according to her own admission, the duty of those in power to see that her support is rendered thoroughly and properly. Hence, whenever the Church has herself opened the door of intrusion, the “powers that be” have promptly entered ; and even where the Church has invoked the aid of secular power to accomplish her own purposes, like the horse in the fable, she has soon found herself saddled by a human master whom she could not easily shake off.

It is worthy of further remark, that this interference of the state has always been begun in stormy times, under the plea of pressing political necessity. When the Stuarts were attempting to enforce a particular form of prayer upon the Churches in Scotland at the point of the sword, they asserted, and honestly thought that the national life was at issue in the contest. So thought the Puritans, when failing to learn the true principles of religious toleration from their own persecutions they banished Roger Williams from Massachusetts. They were only protecting the life of the infant colony. The most violent persecutors, even Phillip II, when he was demolishing the Churches and hanging ministers in the Netherlands—and Queen Elizabeth, when she was doing the same thing on a smaller scale in England, disavowed all authority to interfere with the rights of

conscience. They insisted that they were only protecting the State and preserving the life of the nation in the hour of its peril; they were dealing with ministers as *public men*, and with christians as *subjects*; they were directing prayer, not as worship offered to God, but as a public service which might have a powerful influence upon the course of public affairs.

And sir, we heard but the echo of the sentiments which prevailed three hundred years ago in the Escorial and the Star Chamber, when it was declared in the last General Assembly without remonstrance or rebuke, that *the chief magistrate has, by virtue of his office, and in times like these, ought to exercise the right, to exclude any man from our pulpits whom He may consider dangerous to the commonwealth.*

When I heard that declaration, I looked around in amazement to see what impression it would make. I waited anxiously to hear some exclamation for the honor of Christ's crown and kingdom. But there was no response, except a murmur of approbation from a part of the Assembly.

"How is the gold become dim! how is the most fine gold changed! the stones of the sanctuary are poured out in the top of every street.

The precious sons of Zion, comparable to fine gold, how are they esteemed, as earthen pitchers, the work of the hands of the potter!"

Have we forgotten the history of the contest for the headship of Christ in our mother church of Scotland; the stories of Melville, of Rutherford, and of Erskine, of the Scotch secession, and of the Free Church Exodus? "In these bloody days," says Ebenezer Erskine, in a sermon entitled "The stone rejected by the builders," preached at Perth in 1732, and which contains marvellous good reading for these days, "in those bloody days the headship and sovereignty of Christ was contended for by many of the Lord's worthies even unto death; and it has been the peculiar honor of the Church of Scotland, particularly in these days of persecution, to bear testimony to Christ as alone head and king of his Church, in opposition to those dangerous and heaven-daring encroachments that were made upon it." And do we think that human nature has grown so much better in this nineteenth century, that civil magistrates and military commanders have become so free from corruption and unholy ambition, that the Church may not only submit to, but actually *solicit* their interference in her affairs? Brethren, in the excitement of their patriotic zeal, may think that the Church is in no danger; that her purity and independence may be left to take care of themselves until other interests that are in jeopardy have been conserved; but let them not sneer at nor denounce in the slang phrases of politicians the honest fears of others who are jealous for Christ's authority in his own kingdom. Mr. Moderator, I have prayed in public for my country ever since I was ordained; have obeyed habitually the injunction of Scripture to make supplication for "all in authority;" and have regularly invoked God's blessing on the President of the United States; but if this

were *enjoined upon* me by *secular power*, I would take good care to let it be known that I do not recognize any such authority in the Church. Nay, if the President and Congress and the whole military power of the land should command me to use the blessed Lord's prayer my mother taught me, *I would omit it for the time*. I would not bow down even to the *image* of Erastianism; I would not rest under the *shadow* of its coming; but would say, with the children of the captivity, "We are not careful to answer *thee* in this matter, our God whom we serve is able to deliver us from the fiery furnace."

MR. MODERATOR: I do not believe that the true life and prosperity of a nation can ever be preserved by the violation or suppression of any great principle of truth, much less by stretching forth profane hands to touch the ark of God. That this has been done, and is now being done, in our country, and that it is one of the sins for which God prolongs his judgment, I firmly believe. How far those high in authority sanction the interference of subordinates in the spiritual affairs of our churches, I have little means of knowing. For one manly utterance the President deserves our thanks. If not the most elegant, it is nevertheless one of the soundest declarations he ever made. I refer to the memorable saying that "the United States must not undertake to run the Churches." And yet, in the face of this declaration, the officers of the United States *are* undertaking and *doing* this very thing. They are *running* the churches,—whither it is perhaps not competent for me to say. There are Churches on the roll of the Assembly, whose ministers have been banished or imprisoned without trial or accusation of crime, either civil or ecclesiastical;—Churches in which the people are allowed to have no voice whatever in the choice of their own religious teachers;—Churches whose pulpits are filled under the authority of provost marshals and military commanders, by ministers who report to the secular power the manner in which they have done Christ's work on the Sabbath. And it is a singular, if not an alarming fact, that such interference has not been attempted with Roman Catholic churches, except in the single instance of the Bishop of Natchez. The record of that case may well cause a blush upon Protestant cheeks. I suppose the story is familiar to the Synod. A military order, addressed to the Bishop, directed that certain prayers should be offered in all the churches of his diocese. The bishop mildly but firmly repelled the interference of secular power with spiritual affairs. He was arrested and banished, and his churches closed. But he was soon restored to his charge, the original order was rescinded, and his right to direct the spiritual affairs of his churches without interference fully acknowledged.

I know not by what influences a tenderness, or rather a measure of justice denied to many of our Protestant ministers was accorded to a Roman Catholic, unless it was the force of truth in his own brave and faithful tes-

timony to the spirituality and independence of the Church. Let me read a part of his letter, addressed to

"Col. B. G. Furrar, Commanding at Natchez :

"RESPECTED SIR: Returning to Natchez from a portion of my visitation, I have had communicated to me your 'Special Order, No. 31, dated June 18th, requiring all Pastors of Churches to make a public recognition of their allegiance to the Government under which they live, and to which they are indebted for protection; to pronounce a prayer appropriate to the times, and expressive of a proper spirit toward the Chief Magistrate of the United States.' * * *

This 'Order' requires us to introduce a totally new element into our sacred worship, viz: The public profession of temporal allegiances to the constituted authorities, by a prayer to be pronounced professedly for this end. * * *

The chief reasons for resistance may be reduced to these two: One is, that religious worship ought to be directed exclusively by the religious authorities. I speak not of the negative right of other powers to suppress acts of intended and unmerited insult of which there is no questioning here, but of the positive ordering of prayers, sermons, ceremonies, etc

The other reason, special to the present case is, that Divine worship being directed to God, it is not proper to introduce anything into it for the purpose of exhibiting our sentiments on temporal matters. This appears to be addressing our devotions to men instead of God.

I need not quote to you the well known clause of the Constitution of the United States "prohibiting Congress from any interference with the free exercise of religious worship." The illustrious General Jackson, when President of the United States, determined as he was in the exercise of his authority to its full extent, said he had no "constitutional power" even to invite the people to observe an annual Thanksgiving day. He was to administer the civil government, and take no cognizance of the religion of the people, except so far as to protect each one in following his own without molestation from his neighbors. If later Presidents, exercising their own judgments in the matter, have thought it well on special emergencies, as in time of pestilence and of war, to call on all the people to offer prayers on certain days, yet, as far as I know, they have confined themselves to a simple invitation, and not pretended to compel any one to comply.

Once make the Church a subject of the State in her spiritual functions, and she is no longer a living Church of the Holy Ghost, infusing into her children the life of catholic charity. She becomes a kind of *pious branch of police.*"

MR. MODERATOR, I know nothing of the personal character or political sentiments of this Bishop; but I honor and bless him for this defence of the headship of Christ. That letter would do infinite honor to any Protestant minister. It would do no discredit to the records of the General Assembly. And, if ever there was a time when the utterance of such sentiments was appropriate to a court of the church, it was when the case of Dr. McPheeters was under consideration. I will not trespass on the patience of the synod by an extended review of this case, but will content myself with briefly showing: 1st. That it did involve, in the language of

the preamble to the paper before you, the interference of the secular power with the spiritual affairs of our Churches, the enforcement of political test oaths as a qualification for members sitting in our church courts, and the pro-scription of christian ministers, against whom there is no charge of heresy or crime, upon the ground that they entertain, or are supposed to entertain, certain political opinions; and 2d. that the Assembly apparently sanctioned these things.

On the first point we have documentary evidence of the most unmistakeable character. Read the provost-marshal's order excluding Dr. McPheeters from his pulpit and banishing him from the State. It is addressed to him as *Rev. Samuel B. McPheeters, pastor of the Pine street Church*. It commands him "to cease, from this date, to exercise the *functions of his office* within the State of Missouri, and to deliver up to the clerk of Pine street Church, all books, records, and papers belonging to that church." And what are the grounds upon which this condemnation and punishment are based? What crime has he committed, and where are the facts which prove him guilty? Why, sir, it is not alleged that he has violated any law of the land. The specific charges against him related exclusively to the manner in which he has discharged his official duties as a pastor, and as a member of our church courts. He is accused, not of civil crimes, but of dereliction from duty as a minister in the exercise of his sacred office. There are three, and only three, specific charges in the document, which is at once his indictment, his verdict, and his sentence of punishment. (1) It is charged *that he refused to answer certain enquiries addressed to him by members of his church in regard to his political opinions*. The provost-marshal thinks a pastor is bound to answer such questions to the satisfaction of those in his congregation who claim to be loyal, and that if he does not, the secular power should interfere for his punishment. Why, sir, under the iron rule of Cromwell, as Macaulay tells us, "the clergy of the fallen Anglican Church, (who were known to be royalists and secret enemies of the Commonwealth,) were suffered to celebrate their worship on condition that they would *abstain from preaching upon politics*." But the condition on which Cromwell thought his political enemies might safely be permitted to preach—the very silence which is all that he demanded—is now the ground of interference of the secular power with the most sacred offices in the Church, and one chief reason for banishing a minister against whom his enemies, like Daniel's, can find none occasion nor fault "concerning the kingdom."

(2) The second charge in the indictment is, that "*the said McPheeters, acting with others of the same denomination, has used all the influence of his ministerial character to prevent the body of the Church with which he is connected from declaring or manifesting its loyalty to the government,*" i. e., Dr. McPheeters, in the General Assembly, at Columbus, did just what Dr. Hodge

and sixty others did in the Assembly, at Philadelphia; he argued and protested against the Assembly's making any political deliverance, or any declaration of allegiance to a human government. He holds, that the Church, as such, owes allegiance only to Christ, and that Church courts ought not "to intermeddle with civil affairs, which concern the commonwealth." The provost-marshal decides that this is a very disloyal and dangerous doctrine, so much so, that the man who maintains it in the Assembly ought to be excluded, by secular power, from his pastoral office.

(3) The third and last specific charge in the document is, that Dr. McPheeters "*has refused to observe, in their obvious meaning and intent, the recommendations of the President of the United States to the various Churches.*" I know not what particular "recommendations" are here referred to, nor what may be considered "their obvious meaning;" but I do know, and dare assert, that no recommendation of the President to the Churches has any binding force of law, human or divine; and that where Churches choose, in the exercise of that liberty which both the Word of God and the law of the land secure to them, to accept such recommendations, it is not for any officer, civil or military, it is not for a chief magistrate himself to sit in judgment upon the minister in regard to the manner of carrying out those recommendations. For these three things, and they include all the alleged facts, Dr. McPheeters and his wife and little ones were publicly and ignominiously exiled from the State. The subsequent modification of the order, at the instigation of the President, revoking his banishment but leaving him still excluded from the "exercise of the functions of his office," only makes the interference of secular power with the Church still more glaring. He is declared to be free in the exercise of all his civil rights. He is pronounced no longer dangerous as a citizen; but he is held to be unfit to preach. The secular authorities say to him, in effect—"You may go where you will, but you must not enter the pulpit; you may do what you will, within the limits of the law—you may buy, and sell, and vote; but you must not preach. You must not tell sinners the way to salvation, nor baptize the children of the covenant, nor minister the consolations of religion to God's suffering people, nor go into Christ's banqueting house to distribute the sacred emblem of the Saviour's love." The State has no charge of crime against him; the courts of the Church have never impeached him; but the provost-marshal adjudges him unfit for "the exercise of the functions of his office in the State of Missouri." Nor does the interference end here. The Church, which had received him as Christ's ascension gift and loved him for his work sake, must be rebuked for thus loving and adhering to him. Their continued affection for the ministry of a man who will not answer the questions of politicians, nor vote for political deliverances in the General Assembly, shows that they are not

fit to manage their own affairs. The elders and trustees must be set aside, and the congregation must be excluded from all voice in the choice of another minister."

"It is further ordered, that the church edifice, books, and papers, at the corner of Eleventh and Pine streets, be placed under the control of three loyal members of Pine street Church, namely, George P. Strong, James M. Corbitt, and John M. Ferguson, who shall see that its pulpit be filled by a loyal minister of the gospel."

Now, Sir, is not this very much like "the abomination of desolation spoken of by Daniel the prophet standing in the holy place?" Since the days when Herod set up a Roman eagle over the gate of the Temple, has the secular power ever exercised or claimed a more absolute control over the spiritual affairs of the Church? If a civil magistrate or military officer may sit in judgment upon a minister for the manner in which he discharges his duties as a pastor and a presbyter, may interfere to settle controversies in a congregation, may exclude a pastor from his pulpit, and that without the form of a trial before any tribunal, or even the accusation of any crime known to the law, may vest all the franchises of God's people and the whole government of a church in a committee appointed by and dependant upon the secular power—what becomes of the religious liberty for which the fathers of the reformation contended, and where are the crown rights of the Head of the Church for which our Presbyterian martyrs have ever stood ready to sacrifice their lives?

But you are ready to ask for the proof that the General Assembly sanctioned these things. I affirm that the Assembly *apparently* sanctioned them by *its silence*. Other cases of interference by the secular power with the spiritualities of the Church, though made familiar to the people until they have ceased to excite surprise, have not been brought directly to the Assembly's notice; *but the whole history of this case was spread out before it*. The documents to which I have referred were read and justified in the course of the debate; the claim to secular jurisdiction involved in these documents was repeatedly asserted; and yet, with the exception of a few manly utterances, such as fell from the lips of Dr. McLean and Dr. Junkin, no caveat was entered against the validity of the monstrous claim, no rebuke uttered against the exercise of such dangerous powers, no protest recorded against the repetition and extension of the abominable precedent. Surely the Assembly did not remain silent because it was *afraid* to speak—timidity in the defence of fundamental truth has not hitherto been a characteristic of Presbyterians; nor because its members were opposed to making deliverances upon matters which concern the commonwealth—the scruples of the Church on that point have grown "small by degrees" if not "beautifully less" ever since the Assembly of 1861; nor because there was any fear that its loyalty to the

government was in danger of being compromised—its own deliverances have put that question beyond the reach of controversy. Why, then, was the Assembly silent when the evidences that the independence of the Church was in jeopardy were thrust upon its attention and justified at its bar? The world will think, and will have a right to think, that its silence *gives consent*; that, in the excitement of its zeal for the attainment of other objects, our Church is willing, for the time, to sacrifice her control over her own spiritual affairs, or at least to share it as an ally with the secular power.

But our proof is not merely of this negative and constructive kind. In regard to "the enforcement of military test oaths as a qualification for members sitting in our church courts," it is positive and flagrant. One chief point in the case, if, indeed, it were not the *hinge* upon which it turned, was whether the Presbytery which carried out the views of the provost-marshal, by dissolving the pastoral relation of Dr. McPheeters in opposition to the well-known wishes of the great majority of his people, was a *free Presbytery*, and therefore competent to act in the premises, when the majority of its members were kept away from the meeting by the injunction of a political test oath. In its final action on the case, the Assembly declares that the "resignation of the pastoral relation, and the distracted state of the Church, seemed plainly to call for the action of the Presbytery, and *being on the ground, and conversant with all the circumstances and demands of the case, they seem most competent to understand and decide upon what that action should be.*" Now, sir, this sounds to me like grim sarcasm. I say nothing about the fact that the resignation of the Pastor, which was made in a moment of distraction, was attempted to be recalled upon more mature deliberation, and that the Presbytery refused to grant that privilege. Let that pass. I call your attention to the statement which no reasonable man will dispute, that they "who were on the ground," the co-presbyters and associates of Dr. McPheeters, the ministers and elders who were familiar with the character of his Ministry and the condition and wants of his Church, "*were most competent to understand and decide upon the case.*"

Now *did* these competent judges decide the case? Did *they* make or approve the decision which the Assembly ratifies? Why, sir, there was the record before the Assembly, showing that the Presbytery of St. Louis consists of about *sixty* members; that the resolution to dissolve Dr. McPheeters pastoral relation, was carried by *eleven votes*, being a majority of three of those present at the meeting; that of these eleven votes *eight* were given by Ministers, only *two* of whom were Pastors. And there, too, was a memorial on the table of the Assembly, signed by a large majority of the Ministers and Elders of St. Louis Presbytery, protesting against the action of the Presbytery as unexpedient and unjust, and

beseeching the Assembly not to sustain it. In what light then are we to regard the declaration of the Assembly, that they "who were on the ground and conversant with all the circumstances and demands of the case, were most competent to understand and decide it?" But it will be said, that these memorialists erred in not attending the meeting of Presbytery, and so according to a strict construction of law, forfeited their right to a voice in the decision of the case. Suppose we grant this—what then? Would it have been a great stretch of kindness, or even of justice towards these mistaken brethren, to remand the case to them that they might have an opportunity to correct their error? Was the Assembly, after all, unwilling that the case should be decided by these most competent judges? If *their* judgment were really respected or desired in the premises, it would not have been difficult to obtain it. Their *opinion* was already known to the Assembly, and utterly disregarded in the decision of the case. But the question occurs, why was not that opinion given and recorded by their votes in Presbytery? They tell you the reason. They told it to the Assembly. And when we consider their testimony, the action of the Assembly may well crimson the cheek of every one who loves the free commonwealth of Jesus Christ. The General commanding in the department of Missouri, had issued an order commonly known as "the Church order." By this order, ecclesiastical courts, before organizing, are required to ascertain who had, and who had not taken a certain oath prescribed in the order as necessary to make the members eligible; a provost marshal is required to be present at the organization, and see the order enforced; and a failure to comply on the part of the court, or any of its members, is made a military offence. Now, a majority of the members of the Presbytery of St. Louis, believed that they could not carry out this order without ignoring the headships of Christ in his Church, and violating their ordination vows. Hear their own language in a letter addressed to the commanding General, and laid before the Assembly in their memorial:

"We, the undersigned, hereby certify that we have each taken the oath of allegiance to the Provisional Government of Missouri and to the Government of the United States of America.

"We also solemnly affirm that we will support the Constitution and laws thereof, and that we will not give aid and comfort to the enemies of either. We desire and purpose to conduct ourselves in all respects as good citizens, and to "be subject to the powers that be," in accordance with the teachings of God's word.

"As a matter of principle, however, and because we recognize the headship of Jesus Christ alone in his Church, we can not allow any human authority to determine the qualifications of members who compose our Ecclesiastical Courts.

"We, therefore, respectfully request the Commanding General to allow us, as loyal citizens, to assemble without let or hindrance, in order to transact business connected only with the Redeemer's Kingdom, and without

requiring us to obey Order No. 61, that seems, at least, to interfere with the liberty and purity of the Church.

"We assure you, General, that our request is not dictated by a captious or fault-finding spirit, and in proof of this assurance we shall not resist your authority, but quietly remain at home instead of attending the Ecclesiastical Court which is about to convene at Kirkwood, unless our request can be granted."

To this humble petition, the Commanding General has never condescended to give an answer, unless it has been done since the meeting of the Assembly.* For this reason, Dr. McPheeters and the majority of his Presbytery felt themselves to be excluded from the meeting in which his case was decided. Now we put it to any candid man, did not the Assembly sanction the enforcement of that political test oath as a qualification for members sitting in our Church courts? To put the truth in the mildest form, the Assembly did "*apparently* sanction it," and that not merely by abstaining from all testimony against it, but by recognizing the court from which these memorialists were excluded as a free and competent Presbytery.

But, Mr. Moderator, there is a still plainer and more grievous aspect of this case. The Assembly not only sanctioned but itself took part in "the proscription of a Christian minister against whom there is no accusation of heresy or crime, upon the ground that he is supposed to entertain certain political opinions."

In its final action upon the case the Assembly declares "the question of the pastor's loyalty to his national government, which seemed to be so largely a disturbing element in the Church, has not been *properly* before the Assembly, as it was not *pronounced upon* in any Presbyterial action." This appears to me like another *grim sarcasm*. It is true, indeed, that Dr. McPheeter's loyalty was not properly before the Assembly; but, as every one of us knows, and as I shall presently demonstrate by the testimony of a great cloud of witnesses, this was *the question* upon which the decision of the case turned, in both the Presbytery and the Assembly. All the documents in the case, and the whole discussion of it, from the meeting of church members who undertook to catechise their pastor about his political views, to its consummation in the Assembly, show conclusively that it turned and was decided upon informal charges not *properly* before the court: *i. e.*, not before it according to the rules prescribed in our form

* Since writing the above, I have received a letter from a prominent man in St. Louis, from which the following is an extract: "Some time ago, application was made to General Rosecranz so to modify his 'Church Order' that our Presbytery could meet. If this request had been granted, we intended to meet and put to rights, not only the affairs of Pine street Church, but many other matters connected with the Presbytery for the last two years. General Rosecranz said he had no objections to making the modification required to give satisfaction; at the same time he remarked that Dr. Hodge had fully endorsed his order and he could not see why any objection was made when such men approved of it. We waited day after day, and week after week, but no modification has been made."

of government, and guaranteed to the meanest criminal by the principles of common law. And we desire your special attention to the nature of these charges. It was not pretended that Dr. McPheeters had *done* or *said* anything disloyal—anything for which it was possible to try him before any tribunal, civil or ecclesiastical. The testimony on this point is of the highest and most explicit kind. The President of the United States, after talking with him, writes a letter to his subordinate in authority, which was laid before the Assembly, in which he says, “The question remains whether such a man *of unquestioned good moral character*, who has taken such an oath as he has, *and cannot even be charged with violating it*, and *who cannot be charged with any other specific act or omission*, can with safety to the government be excused upon the suspicion of his secret sympathies.”* The elder who prosecuted the case through all its stages declared in the Assembly, “I do believe that he (Dr. McPheeters) faithfully endeavored to keep his oath of allegiance as he understood it.” It was admitted on all hands, by those who took part in the debate in the Assembly, and proclaimed by some in terms of the highest eulogy, that Dr. McPheeters was sound in the faith, and unimpeachable, so far as word and deed are concerned, in all the relations of life. And yet, it is as plain as the light of day that this good minister of Christ—this sincere and upright man—was pronounced by his Presbytery unfit to be the pastor of one of our Churches, and that decision was ratified by the Assembly, upon the ground that he is supposed to entertain certain political opinions, not consistent with the standard of political loyalty which his accusers have set up for themselves. Fortunately we are not left on this point to suspicion or conjecture, to the general impression on the public mind, or even to our own fallible memory. The debates in the Assembly are reported and published, and they furnish a mass of information and evidence to which we believe the future historian of our Church will turn with a sad heart when tracing back the course of events to their fountain head.

I will not trespass upon your patience by reading all the extracts I have made from the debates of the Assembly; showing, on the one hand, that the members who voted to sustain the complaint did so upon the ground that the disloyalty of the complainant had not been *proved*; and, on the other hand, that his *assumed* disloyalty justified the Presbytery in the course it had pursued. It will be sufficient to cite a few witnesses whose competency will not be disputed.

Dr. RICE said: “That we have virtually a minister on trial—*virtually* on trial; visited too with the severest penalties that could result from a trial; and yet he is on trial without charges, without citation, without specifi-

* Nevertheless, the President *did not order the release of Dr. McPheeters*. In the conclusion of his letter he tells his subordinates that the whole matter is left to their disposal, according to their own judgment. Thus, in effect, he says—“I find no fault in him; but take ye him,” &c.

cations tabled, without a list of witnesses; in short, without any of those formalities and precautions by which our constitution guards the sacred rights of accused ministers. Ah, sir, it is a sad state of things when a minister can be put on trial for his character and ministerial life, without allowing him any of the means of protecting himself that the constitution guarantees. The real charge brought against Dr. McPheeters was *disloyalty*; on this the opposition of the minority of his church was based; on this the allegation of loss of usefulness was founded; on this charge the Presbytery proceeded. This is manifest in all the pleadings there, and in all the pleadings here. This was a charge affecting his moral character; for disloyalty is a sin. Had the Presbytery a right to punish him for this sin, and to fix this blot upon his character, without arraigning him, and tabling charges, and giving him an opportunity of defence? He (Dr. Rice) did not know whether that brother is loyal or not. That was what the Presbytery ought to have found out before they punished him. When asked upon the subject, he said he had taken an oath of allegiance, and kept it. This was enough up to the point at which they were ready to try him. What more did they want? The great principle which lies at the foundation of the *unity* of the Church is this: that the degree of unity of faith and practice required for membership is that which is specified in the Confession of Faith, Government, and Discipline of the Church. The terms of membership are all inside of the Book; all outside of it does not belong to the terms of union and communion. Dr. Breckinridge believes in the premillennial advent of Christ—the speaker does not. We must be left to do as we please in regard to matters outside of the Book; if not, the terms of communion are violated, and the unity of the Church destroyed. You must alter the Book before you can punish me for what is outside of it. Where there is no law, there is no transgression. If a man can stand the ordeal of a military vigilance for a year or more, the hue and cry of popular clamor, and the jealousy of public suspicion, with an elder after him all the time, pursuing him even to strange cities, he must be pure, indeed, if he stand the test. But this brother has done it. No fault has been proven; and he is found a pure man, even his enemies being judges. Why, sir, Dr. Hodge, in the Assembly of 1861, took quite as strong ground as Dr. McPheeters has ever taken, in favor of non-intervention of the Church in political matters. Is he disloyal? The Synod of Kentucky passed strong resolutions against such interference, Dr. R. J. Breckinridge taking the lead in them. Is Dr. Breckinridge disloyal? If a man can speak seven hours, with entire license to say what he pleased, as Mr. Strong did, and yet not adduce the remotest proof, or make any show of a case against his pastor's loyalty, it is surely evidence that the case is not very capable of being made."

The Rev. Dr. JUNKIN said—"It was Erastianism—Erastianism of the direct type—the Erastianism of the sword, to punish the *minister* for the imagined political errors of the *man*; whilst the man, the *citizen*, was left to all his civil franchises! Sir, it is amazing that logical minds *cannot*, and that religious minds *will not* see this distinction, so important in its bearings upon the question of religious liberty and the rights of conscience! He thanked God that we had a President at the head of our government, who understands the principles of religious liberty, the rights of conscience, and the relations between the Church and State, better than

some Doctors of Divinity with whom he had conversed on this subject. The President saw the blunder his subordinates had committed, and with the perspicacity of a clear head, and the candor of an honest heart, he applied the remedy. In his own pithy and pregnant style he tells his subordinates that he would not himself undertake, nor would he permit them to "run the churches." Would to God the members of this Assembly, and our preachers generally, would learn wisdom from that admirable letter of our President; and whilst he wisely refrains from "running the churches," let the Church refrain from attempts to run the State.

Now, the entire ecclesiastical proceedings, resulting in the substantial removal of this confessedly godly, gifted, and faithful man from the ministry, were based upon the *military* infliction of an *ecclesiastical* sentence. Instead of defending this brother against the oppression of the mailed hand of military power by entreaty, and such influence as might have stayed that hand, his Presbytery made that oppression a pretext for dissolving his pastoral relation. They dissolved this man's pastoral relation on account of trouble in the church—trouble that arose, as he alleges, on account of a false accusation of disloyalty against him; and this point is conceded by the Presbytery."

THE REV. DR. CRAVEN said—"If this Assembly shall refuse to sustain these appeals and complaints, and refuse to listen to the memorial of the St. Louis brethren, they will send forth a brother, universally admitted to be a man of great piety and purity of character, virtually branded with the charge of disloyalty, and also of contumacy. The suspicion of disloyalty was the real ground of the action of the St. Louis Presbytery. I do not stand here to defend Dr. McPheeters from this insinuation or charge. It is not in evidence before us, nor was it before the Presbytery of St. Louis, as courts, whether he was loyal or disloyal, contumacious or otherwise. He and his church both challenge investigation; and now, if we refuse to sustain these appeals, we do virtually give a judicial sentence without evidence."

JUDGE LINN, ruling elder, said—"There seemed to be but one single question before us here, and that is the loyalty of Dr. McPheeters. It is said that there is no evidence of his disloyalty—that this issue had never been fairly tried. But the Presbyterian Church expects her ministers not only to be negatively loyal, but to preach loyalty to the people by precept and example. "Let your light so shine before men that they may see your good works," is a scripture precept; and when disloyalty is abroad in the land, it is the duty of the ministry to preach against it; and the silence of Dr. McPheeters proves to us that his loyalty is of a very technical kind. It had been asked in the Judicial Committee, how could this case come before this body? and he had acquiesced in the manner in which it was presented. But now it is pleaded that this question of loyalty is not before us. Is it possible, sir, that a wrong can exist without a remedy? Must this man be allowed to preach there, and prevent the growth and harmony of that church? It ought not to be. He argued that the Presbytery had power, under chap. x, sec. 10, to right all wrongs that impaired the spiritual welfare of the churches under their care. He cared not whether the Presbytery acted regularly or irregularly. He took direct aim at the justice of the case, and he believed the Presbytery had a power of *injunctio*n; and it is here before us to inquire whether this Presbytery had a right

to interpose with the power of injunction. It seems to be left out of view that they have such a power ; but they have, and this is the reason why the question of loyalty was entertained. They felt that they had a right to enjoin a disloyal minister not to preach. He thought the loyalty of the Presbyterian Church requires that the ministry *teach* loyalty, *pray* loyalty, *live* loyalty. When great questions are trembling in the balance, it is no time to put our light under a bushel. If disloyalty is a sin, loyalty is a virtue ; and is there any Christian virtue that ought not to be taught in the pulpit ?”

DR. WM. L. BRECKENRIDGE said—“ This brother is not on trial in *form*, but he is *in fact* on trial, not only for his relation to his people as a pastor, but for his character as a minister of Christ and a steward of the mysteries of God. It has been attempted to thrust him out of his work among the flock, over which the Holy Ghost hath made him overseer, and to brand into him a mark of dishonor, with the allegation of that which on all sides is called a crime—and yet in violation of the wishes, and against the remonstrances of the great body of his people and of his brethren ; with no charge that he might answer ; with no responsible accusers whom he might confront ; with no witnesses on oath whom he might question, and whose testimony he might disprove ; in the face of their absolute and unquestioned denial of their accusations ; in the absence of the merest suggestion of an overt act, which alone could establish the allegation ; upon a base suspicion, wholly negative in its most plausible pretences. He is called a disloyal man—not true to the country ; and on this clamor, it is attempted to drive him from his work in the church. But he declares, and it is not denied, that he has freely taken a stringent oath of allegiance to the country. He insists that he took it in all good conscience—before God. He declares, on the faith of a Christian, and the honor of a gentleman, that he has kept it. No man insinuates that he has broken it. His opposers themselves being judges, he is a man of blameless manners—of purest life, of exemplary godliness.”

THE REV. THOMAS H. CLELLAND said—“ As judges, we are sworn to try the accused according to the principles of our charter, and not according to the law of the commonwealth. All the disloyalty, which as an ecclesiastical court we are competent to try, is *ecclesiastical* disloyalty. If Dr. McPneeters has committed an ecclesiastical offence, let us try and condemn him for it by and according to ecclesiastical law. If guilty of civil offence, let us turn him over to civil authorities ; if guilty of both, let him be tried by both. Let us try him by *our own law*, and let the civil authorities try him by *their law*. We cannot try a Presbyterian for purely civil offence ; if we do, we violate our solemn ordination. As jurymen, we have nothing to do in making the laws, nor to allow either our prejudices or secret convictions of the guilt of the accused to influence us in our decisions. To the law and to the testimony. By *our law* he must stand or fall. Dr. McPneeters is either guilty or innocent. If disloyal to his government, that government is competent to judge him as a citizen. If disloyal to the principles of his Church, he is entitled to a fair and impartial trial, brought up to this highest court by regular appeal. This court has no right to originate and decide such a prosecution. So, in any, and in every way, a merely political question has nothing to do with this matter. And if we allow such considerations, even secretly, to bias our decisions, so vital to

the Church and all concerned, it violates our ordination vow. Our hearts are deceitful, and we unconsciously are influenced by secret motives. The barrel that includes the mainspring of a watch does not propel the machinery, but only conceals the power that does.

Whatever may be the secret views and feelings of Dr. McPheeters, so long as he does nothing to violate his ordination vows, or any other obligation, which, as a Presbyterian, he is bound to obey, we cannot, and dare not touch a hair of his head.

And now, sir, is there the slightest evidence that Dr. McPheeters has been convicted of a violation of a single statute of the Presbyterian Church? Instead of this, as a Presbyterian, a minister, a pastor, a Christian, a citizen, a gentleman, he is endorsed in the very highest terms, even by his accusers. In a speech of seven mortal hours, which, had it all been exhausted on one man, instead of being distributed among two hundred, would have been 1400 hours long, there was not produced the slightest hint that Dr. McPheeters was guilty of anything which could affect his standing in the Presbyterian Church. It is true, he is complained of for not vociferously clamoring for the present administration; but we maintain that there is no law in our Constitution, civil or ecclesiastical that obliges any man to avow his political principles. To make such a demand of Dr. McPheeters, specially placed in such a delicate situation, requiring the wisdom of a serpent and the harmlessness of a dove, is more than Erastianism, and is the vilest species of Jacobinism. The spirit of such a demand has been before expressed in these words—'We have a law, and by *our* law he must die.'

REV. DR. MACLEAN, President of Princeton College said—"It can be clearly shown that this was not a free Presbytery, and, therefore, its acts were not valid. He quoted from Stuart of Padovan, the opinions of Henderson, and others, that the Assemblies of 1363, and others that were held when a portion of the members were in duress, were not free and valid Assemblies. And he quoted a passage penned by Dr. R. J. Breckinridge, to show that it has always been the settled doctrine, that the right to assemble in church courts is divine; not dependent upon the civil power; and that where the civil or military arm is thrust in so as to restrain members from attending, it vitiates the freedom and the validity of the body so restrained. Had he been a member of that community, he would have maintained the supremacy of the Church, and attended Church, and attended without military permission, or not at all. It is said there was nothing to hinder the majority from attending, if they would take the oath. But the right to impose that oath was the very matter in dispute. Are we to submit to an oath imposed at the discretion or the whim of a military commander, as a test and qualification of membership of a court of Jesus Christ? Shall we thus place his kingdom in a position of subordination to military authority? Shall we surrender the independence of Christ's crown? Never, sir, never! As a member of civil society, he would take all oaths legally imposed. He had taken an oath of allegiance, in the course of his official life, six times, and as a citizen had no objection to taking it. But when it was thrust upon him as a qualification for office in a court of the independent kingdom of Jesus Christ, it was another matter.

It was not needful for him to express his views of the rebellion—they

were well enough understood, and he regretted the dread of public opinion, that was ever forcing men to declarations of loyalty—he left his own record to speak. But this Presbytery was not a free Presbytery, and therefore no Presbytery. The appeal was made—it arrested proceedings—and Dr. McPheeters is the pastor of Pine street Church; and this Presbytery had no power to reach over the head and authority of the Synod, and by an exercise of naked absolute power, remove a pastor from his flock, without trial or investigation."

The last witness is Rev. Dr. Musgrave—a father in Israel, a leader in the Assembly, a member of the committee which drafted the final minute in the case, in which it is declared that the question of Dr. McPheeters' loyalty "was not properly before the Assembly." I know not how far that word *properly* may prove his own and the Assembly's consistency—but hear his testimony.

"He (Dr. MUSGRAVE) fully justified the Government in all they had done, in the way of military arrests, orders, and restraints. We are struggling for the nation's life, and any means thought necessary to preserve it are justifiable. He approved of the suspension of the writ of *habeas corpus*. The whole northern country had willingly yielded these precious rights for a time, in order to preserve this Government. If this Government is destroyed, what will become of the Church of God? We are called upon, then, by our love for the Church, to support the Government.

Although Dr. McPheeters complains only of this last act of the Presbytery, and pleads that this act was barred by the operation of the appeal to Synod, he (Dr. Musgrave) was of opinion that the complaint to the Assembly brought up the whole case here; and we can act upon the entire case. So that what brethren regard as irrelevant, is strictly relevant. We have taken him at his word. And the question is, had the Presbytery a right to dissolve the pastoral relation, and was it expedient to do so? The speaker thought that both these questions could be answered in the affirmative. They had the power, and his disloyalty made it expedient.

MODERATOR, if the man is loyal, why does he not say so? Sir, in this crisis of our country's history, every minister of the gospel ought to speak out. He has but to say that he considers secession a wicked rebellion—that he abhors it; and then he will not be suspected. He (Dr. Musgrave) had many private friends in Baltimore, and he had been astonished beyond measure to hear them insist that they were loyal, whilst they gave the best evidence that they were not. On one occasion one of them was in his (Dr. Musgrave's) house, when news unfavorable to the Federal cause was received. This friend could not conceal his joy; but when, by-and-by, the news changed its aspect, and it turned out to be a Union success, he was chop-fallen, and could not disguise it. He (Dr. Musgrave) would vote not to sustain."

Mr. Moderator. I submit to you and to every candid man in the Synod, that I have made out my case. The Assembly not only sanctioned but participated in the proscription of a Christian minister, against whom there is no charge of heresy or crime, upon the ground that he is supposed to entertain certain political opinions." Stript of all forms and

technicalities, and regarded, as it would appear in a court of equity, upon its real merits, the whole proceeding, from its inception to its consummation, amounts to this, that a minority of a congregation, urged on by political zeal and abetted by the interference of the secular power, has been able to deprive the majority of the minister of their choice, whom even his enemies admit to be a faithful and able servant of Christ, proscribing and branding him as a disloyal man, simply because he is supposed to entertain political opinions about which the Bible and our standards have nothing to say. Whether he *does* entertain these opinions I *do not know*, and so far as this case is concerned I *do not care*. I love him as a minister of Christ. I feel the wrong he has suffered as a personal grievance. I do believe and feel that the whole case presents a story of persecution for opinions sake, which if told of some by-gone age would excite the indignation of us all; and which will remain in the ages to come a blot on the once fair fame of the Presbyterian Church. Let not the members of Synod be offended that I use the word *persecution*. We are accustomed to associate that word with the scaffold, the stake, and the dungeon; but I tell you there is a tooth that enters the soul sharper than the steel that pierces the flesh; sense of injury and wrong, received in the house of our friends, more burning than fire, more torturing to an honorable and loving heart than a crown of thorns.

Dr. McPheeters is not the only one who has endured this crucifixion of the soul. There are other Ministers who have grown grey in the service of the Church, and the Church's Master, who have been thrust out of their own pulpits, and whom most of us dare not ask into ours, who are frowned upon and virtually cast out by brethren with whom they once took sweet counsel in the house of God, and made to feel like strangers in the Church they love as their mother, and would willingly lay down their lives to defend. And all this, not because they are guilty, or even accused of any heresy or crime known to any law human or divine; but simply because in matters not revealed in the Bible, they claim the liberty to think and be silent. Now what I want to know, and have a right to know, is this; if I decline to labor for the success of the declared policy of any civil magistrate or human government—yet, while I love Christ and adore him as my only King, and adhere to all the doctrines and requirements of our standards of Faith and order, am I to be held, according to the teachings of the Assembly as an opponent of the will of God, and a violater of all the pledges which grow out every earthly and every religious interest, and will my brethren, with whom I am ready to go all lengths in laboring for the gospel of Christ and the salvation of souls, practically exclude me from their fellowship? These are no idle questions. You *know* they are not. And it is time they were answered. It is time for the Church to vindicate her own character as the spouse of Christ; and to give her troubled and

mourning sons, some new assurances that the old landmarks of Church fellowship and ecclesiastical rights are not to be swept away.

I ask you to make the declaration of principles contained in the paper before you, as a measure of peace, as a standard against the enemy that cometh in upon us like a flood, as a balm for wounds in the body of Christ, deep-seated and rankling. If, when the smoke of civil war passes away, and the stream of fraternal blood dries up, we would have the Church in the position of a comforter to men of all parties, keeping the peace in her own bosom after politicians have made peace in the State, and realizing in the future that glorious unity in which there is neither "Greek nor Jew, Barbarian, Scythian, bond nor free, but Christ is all and in all," we must remove from her record all trace of political passion and sectional hatred. We must purge her reputation from all well grounded suspicion of political partizanship, and bid her go forth with her garments unspotted by the world, the cross of Christ the only symbol on her banner, and the gospel of peace the only proclamation on her lips.

But you may rest assured that she cannot retain the confidence and adherence of her own ministers and members, nor prevent discord and disunion in her own bosom, if such legislation as that of the last Assembly stands unrebuked.

Rose