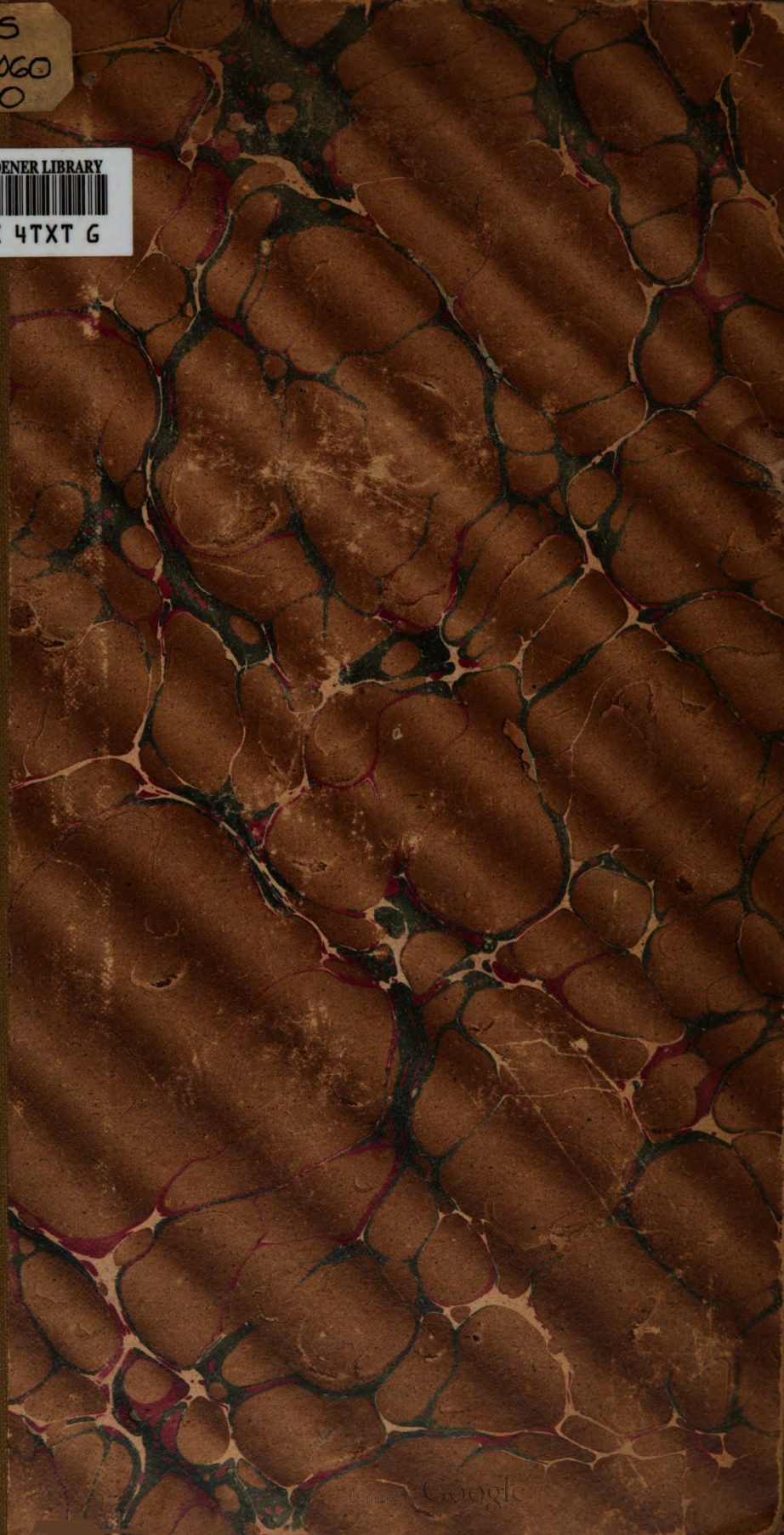


Brookes - Argument - 1866

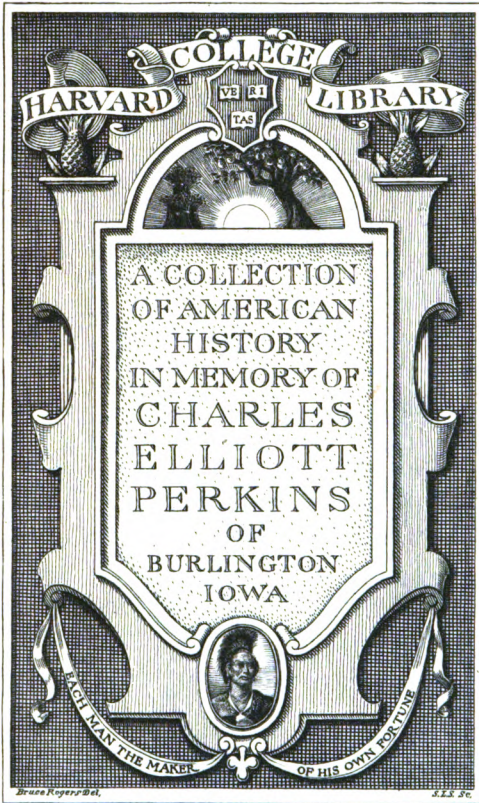
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ARGUMENT

OF

REV. J. H. BROOKES, D.D.,

DELIVERED BEFORE THE

General Assembly of the Presbyterian Church
of the United States,

On the 31st of May, 1866,

IN DEFENCE OF THE

LOUISVILLE PRESBYTERY,

*Arraigned for having adopted and published their "Declaration
and Testimony" against the Deliverances of the Gen-
eral Assemblies of 1861-65.*

ST. LOUIS, MO.:

GEORGE KNAPP & CO., PRINTERS AND BINDERS.
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June 20, 1915

ARGUMENT.

MR. MODERATOR:—It is with unfeigned reluctance that I appear before you and this venerable Assembly to-night. Had I consulted my own wishes rather than a sense of obligation to the little band which I am here to represent and to defend, I would have remained silent during the exciting discussion that has been going on in this house for the last two weeks. But, sir, continued silence on our part would be wrong in the circumstances that surround us. Among all the speeches with which we have been favored through our protracted session, not one word has been uttered in behalf of the small party that signed their names to the hated "Declaration and Testimony." From nearly every quarter we have listened to the sternest denunciations uttered against that now famous protest, and it seemed impossible for any one to obtain a hearing in the Assembly without washing his hands of all complicity in the guilt of those who dared to publish it to the world. Some have boldly avowed their sympathy with the principles there set forth, but even these have been careful to inform you that they cannot endorse its language and that they are in nowise responsible for its appearance.

First, we had the fierce onset of the gentleman from Ohio, (Dr. Thomas,) who borrowed his glowing imagery from the most terrific judgments of God, in order to express his abhorrence of our crime in sending forth a document which has fallen like a firebrand in this house. In the heat of his passion he likened us to the guilty inhabitants of Sodom and Gomorrah, consumed by flaming brimstone, and then to Ananias and Sapphira, suddenly smitten by the unseen hand of the angry Jehovah, and at last invoked the red hot thunderbolts of hell to fall upon our devoted heads.

The gentleman from Kentucky, (Dr. Humphrey,) followed with an amendment to the motion of the Chairman of the Committee, and accompanied the amendment with a speech, in which he used, if possible, still harsher and more cruel terms than those employed by the gentleman from Ohio. He declared in the presence of this venerable Assembly, and in the presence of God, that he had never known the exceeding richness of the English language in vituperation until he read the "Declaration and Testimony." He pretended to see metaphors, burning metaphors, dancing through its pages to the tune of Dixie, and could not find words to convey his righteous indignation against the rebels and traitors who, according to his excited imagination, are proudly defying the authority of the Church and despising her sacred institutions.

So the gentleman from Washington City, (Dr. Gurley,) in presenting a second amendment, or rather a substitute for the original motion, pronounced us slanderers, worthy of condign punishment, and solemnly avowed his purpose to leave his beloved Church unless that punishment should be speedily inflicted. He could not commune with such sinners, and would be compelled to seek an ecclesiastical home elsewhere if this hated Declaration and Testimony party were allowed to remain among the saints.

Even the brother from Philadelphia, (Dr. Boardman,) whom I have long revered for his high christian character, and whom I have learned to love for his noble christian heart, took occasion to express his disapproval of our course, and to say in the paper which he read, that we deserved censure for carrying our sound and invulnerable principles to extremes.

And finally, my brother from Brooklyn, (Dr. Van Dyke,) whom I also love for his manly defence of the truth, was unable to say anything for the document which has stirred this wild commotion, because he had not signed it, and could not be answerable for its language. Thus, sir, we stand alone in this great assemblage, and hence my position this evening is one of immense disadvantage. Still, as I did not come here to struggle for victory, but only to contend earnestly for the faith once delivered to the saints, and to battle for the truth as it is in Jesus, I shall proceed with firmness, and I trust with respect for this high Court, to express the views entertained by those who have been haled to your bar. The opprobrious epithets which have been heaped upon us without stint will not be returned upon their authors, but until you can show us by an appeal to the Holy Scriptures and to the Constitution of the Church that we are in the wrong, we must stand where we are, undaunted by threats and violence. Let gentlemen cease from their wholesale abuse and prove that we are in error; or, sir, we will maintain our position unmoved, so help us God. Amen. (Great applause in the galleries, which Dr. Brookes promptly checked; begging those present to abstain from all such demonstrations, and to remember that they were in the house of God. With this remark the Moderator concurred, asking the excited crowd to repress their feelings.)

Mr. Moderator, it has been asserted again and again, on the floor of this house, that the Declaration and Testimony party are laboring in the interests of secession, and are trying to vitalize the dead body of slavery. If this be true, if this is our motive and aim, we richly merit the severe punishment which it is the manifest purpose of the majority to inflict upon us. Nay, I cheerfully admit that we are utterly "incompetent, unfit and disqualified" in every respect to sit in a Court of Jesus Christ, or even to exercise the humblest functions of the Gospel ministry. But, let me ask, are gentlemen sure that we are responsible for the agitation of these subjects in the Church? Did we begin the conflict which has raged in the Assembly for two weeks, and which threatens to end in complete separation? Sir, we had supposed that secession was ended by the war. We had supposed that slavery was

done away with by the war; and what evidence have you that we refused to acquiesce in the stern decisions of the sword? What evidence is there that we were so dissatisfied with the result of the dreadful contest, that we were determined to try the issue again even at the expense of rending our Church asunder? None, none whatever. Do you desire to know who dragged these questions from the dead past to agitate our people with useless contentions? Do you desire to learn who has thrown secession into our midst as the apple of discord? Do you desire to discover who has gone about to vitalize the mangled body of slavery and make it a source of endless dispute and division? Sir, I believe before God, it was the General Assembly. (Suppressed applause.)

Boldly do I affirm that it was not the Declaration and Testimony party, it was not the Louisville Presbytery which began this unhappy strife, but it was the fell and fanatical spirit that would not be content to let the dead past bury its dead, but insisted on making the dead past the test of our present standing in the Church and the controller of our future destiny. We have acted entirely on the defensive, and have only striven to bring back our beloved Church to her forsaken standards and to equip her for her glorious mission of saving souls.

It only remains, therefore, to discuss three propositions which I now submit to the candid consideration of this venerable Court: 1st. Was there sufficient ground for the protest which the Louisville Presbytery, and others, have made in the "Declaration and Testimony" against the proceedings of the Assembly during the past five years? 2d. Had we the right to protest? And 3d. Was the protest made in a spirit and form justified by the exigencies of the case, and by the perilous condition of the Church?

If these three questions can be answered in the affirmative, then, sir, we expect an honorable acquittal at your bar, instead of condemnation. Nay, we demand, as we deserve, not your censure, but your grateful plaudit, "Well done, good and faithful servants."

To investigate the first of these questions intelligently, let us consider the action taken by the General Assembly in 1861, which was, to the action of 1865, but like the cooing of a dove compared with the angry screams of a vulture; or, lest this may seem disrespectful to the body, I will say it was the faint and feeble moaning of the gathering storm compared with the roar and rage of the tempest, sweeping with resistless fury over the fair heritage we received from our fathers. To determine whether we had sufficient ground of protest against this first and fatal action of 1861, which required the Presbyterian Church of the whole country to uphold and perpetuate the Government at Washington City, I will cite a few witnesses whose high standing will not be questioned by any here.

The first of these witnesses is Rev. Charles Hodge, DD., of Princeton, New Jersey, the true Nestor of the Presbyterian Church, whose reputation, extending far beyond the Atlantic, has gained him a host of admirers wherever learning can be respected, or piety revered.

Dr. Hodge, speaking of the action of 1861 in his own behalf, and in behalf of about sixty other members of that Assembly, published to the world the following judgment: "It pronounces or assumes a particular interpretation of the Constitution. This is a matter clearly beyond the jurisdiction of the Assembly. * * * * The General Assembly, in thus deciding a political question, and in making that decision practically a condition of membership to the Church, has, in our judgment, *violated the Constitution of the Church and usurped the prerogative of its divine Master.*"

Mark it, and ponder it well, fathers and brethren; the highest authority, in some respects, in our communion affirms that the Assembly violated the Constitution of the Church, and usurped the prerogative of its divine Master. Think you the Declaration and Testimony men had a sufficient ground of protest? But, again, Dr. Hodge goes on to say, "We protest, because we regard the action of the Assembly as *unjust and cruel* in its bearing on our Southern brethren." Unjust and cruel! Why this sounds as if it might be found in our Declaration and Testimony. Can you discover there any stronger language—any more disrespectful terms? "And finally," says Dr. Hodge, "we protest because we believe the act of the Assembly will not only diminish the resources of the Church, but greatly weaken its power for good, and expose it to the danger of being carried away more and more from its true principles, by a worldly or fanatical spirit." Ah, Mr. Moderator, if that venerable man of God had possessed prophetic vision he could not have foretold with more unerring accuracy the certain results of the Assembly's first departure from the established principles of our Church government.

The next witnesses I wish to cite in a body, to testify whether the Declaration party had sufficient cause of protest, are Rev. R. J. Breckinridge, D.D., Rev. W. C. Matthews, D.D., and Rev. R. W. Landis, D.D., all thoroughly loyal men. These gentlemen introduced a paper into the Synod of Kentucky, in the fall of 1861, which affirms: "In the judgment of a large minority of the Assembly, and of multitudes in the Church, the subject matter of the action of the Assembly, *being purely political*, was incompetent to a spiritual court. Undoubtedly it was incompetent to the Assembly, as a spiritual court, to require or advise acts of disobedience to actual governments, in the manner and under the circumstances which existed; and, still further, it was neither *wise nor discreet* for the Assembly of the whole Church to disregard, in its action, the difficulties and dangers which rendered it impossible for large portions of the Church to obey its order without being liable to the highest penalties. The action of the Assembly being exhausted by the occurrence of the day of prayer recommended, and no ulterior proceedings under the order of the Assembly being contemplated, this Synod contents itself with this expression of its *grave disapprobation* of the action of the General Assembly." But the testimony of these loyal gentlemen, emphatic as it is, was not strong enough to satisfy Rev. E. P. Humphrey, D.D., who stepped

forward, and offered the following amendment, which was unanimously adopted: "*Which (action of the Assembly) the Synod judges to be repugnant to the Word of God, as that Word is interpreted in our Confession of Faith.*" Mr. Moderator, my surprise is almost unutterable when I compare this strong language with the boast of the gentleman on the floor of this house, that he was loyal to all the deliverances of the Assembly, and intended to stand by them. What! Stand by action which he deliberately and solemnly affirmed to be repugnant to the Word of God. What! Talk about the amazing vituperation to be found in the Declaration and Testimony, and watch the dance of metaphors along its pages to the tune of Dixie, when he himself pronounces the act of the Assembly unscriptural and unconstitutional! It is vain, sir, to reply that he and the other loyal gentlemen who voted for this amendment did not refuse to obey the Assembly. I will not insult them by even hinting at the possibility of their obedience to that which they loudly proclaimed to be repugnant to the Word of God, and therefore we find them occupying precisely the ground on which the Declaration and Testimony men so firmly stand.

But I must proceed to notice briefly the acts and deliverances of subsequent Assemblies, to see whether we had sufficient reason for issuing our solemn protest. It would be ungracious in me to weary your patience by noticing minutely the action of 1862, which was certainly taken without the slightest authority either from the Word of God or from the constitution of the Church; or by examining at length the action of 1863, which exhibited the frenzy of that state of mind which led a venerable court of Jesus Christ to occupy two or three days in discussing the question whether a flag should be raised above the building in which the Assembly convened. I hasten on to consider the action of 1864, touching slavery, affirming it to be an "evil," and "guilt," and "sin," the "root of rebellion, and bloodshed, and a long list of horrors," and, in short, adopting in effect the familiar saying of the old abolitionists, that it is "the sum of all villainies." And so, sir, on the floor of this Assembly, have we heard again and again that slaveholding is sinful, but not one word of proof has been alleged either here or by the Assembly of 1864 to make good this confident assertion. "Sin is the transgression of the law of God," but it is a remarkable fact that an ecclesiastical council, assembled in the name and by the authority of Jesus Christ, adopted a long paper on the subject of slavery without even referring to the Bible, according to my recollection. They *said* it is sinful, but did not *show* it, by appealing to the law, which is the only standard of righteousness. To form an opinion concerning the sinfulness of an act or relation, I want a higher authority than man's prejudices and passions—I want the authority of God's Holy Word, and no Assembly has a right to bind the conscience or to demand obedience without this authority.

Especially does such a right entirely disappear when we find the action of 1864 to be in direct and glaring conflict with the action of

1845. The former was passed at a time of tremendous excitement—in the midst of a bloody war—under the sway of an extravagant loyalty, and seemed to be an expression of the wild delirium which prevailed throughout the nation, while the latter was passed after mature deliberation, and was precisely the one act which expressed the calm and settled conviction of the Assembly, in its best days, in relation to this vexed and vexing question. Let us see what that Assembly said, when entirely free from the control of passion and from the pressure of public sentiment. I read, sir, from the Digest:

“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 the 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 to 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.”

Here, sir, we have a position carefully taken and thoroughly fortified by the Word of God, and yet in the face of this deliberate testimony we are required to believe slavery an “evil” and “guilt” and “sin,” and the fruitful source of rebellion, bloodshed and all manner of crimes. Mr. Moderator, I cannot and will not so believe. I care not for slavery, but I do care for the authority of the sacred Scriptures, and, according to the light I now have, the action of 1864 is contrary to these Scriptures, and tends directly to infidelity. “The grass withereth, and the flower thereof falleth away, but the Word of the Lord endureth

forever," and it endureth unchanged and unchangeable amid the rudest conflicts of earth. To the divine authority of that Word we must all bow with implicit submission, and since, in the opinion of the Declaration and Testimony men, there was a direct conflict between the action of '64 and the plain statements of the Bible—nay, between the hot and hasty action of '64 and the calm and collected judgment expressed in '45—we feel that there was abundant ground for an earnest and vigorous protest if we would save the Church from a still more grievous departure from the faith. Why then should we be arraigned at the bar of this high Court as the chief of sinners, when it is apparent on the very face of the testimony I have just adduced that we could not adopt both actions of the Assembly without being guilty of gross absurdity and childish inconsistency? Tell us, sir, which of those two actions we are bound as loyal Presbyterians to accept. The action of '45 remains unrepealed, and was indeed unassailed down to '64, when it was quietly ignored; not even receiving the honor of being mentioned in the long paper adopted by the Assembly. We insist that there was sufficient reason to protest against such conduct.

But, Mr. Moderator, when we come to consider the proceedings of the Assembly, which convened in Pittsburgh in 1865, the reason for protest becomes manifold and imperative. That Assembly, as we have heard on the floor of this house, simply reduced to practice the principles and doctrines affirmed through the preceding four years, and, consequently, a great struggle must ensue, or the liberty of God's children and the crown rights of Jesus Christ as King in Zion must be tamely and basely surrendered.

Why, sir, we find an ecclesiastical body, enjoined by their own ecclesiastical constitution "to handle or conclude nothing but that which is ecclesiastical, and not to interfere with civil affairs which concern the commonwealth," gravely pronouncing against "the erroneous interpretation of the doctrine of State rights," which prevailed in the South, thanking God that the rebellion was suppressed without "the national honor being tarnished by deeds of outrage and cruelty"; directing the Board of Domestic Missions to employ none to preach the Gospel unless "they are in cordial sympathy with the various deliverances of the General Assembly in the United States of America, touching doctrine, loyalty and freedom"; and requiring all Synods, Prebyteries and Church sessions to examine everybody coming from the South, "whether he has in any way, directly or indirectly, of his own free will and consent, or without external constraint, been concerned at any time in aiding or countenancing the rebellion and the war which has been waged against the United States;" and "whether he believes slavery to be a divine institution which it is the mission of the Southern Church to conserve and perpetuate." If it be found by his own confession or by sufficient evidence that he has in any way voluntarily aided the rebellion, or that he believes in slavery, every such person is required to repent and forsake these sins, on pain of exclusion from the Church, and from fellowship with his brethren in the courts of the Lord's house.

Whether, sir, this action furnishes a sufficient reason for protest, let every man judge. I have yet to hear of the first minister or elder who has obeyed these orders and enforced these injunctions. But, on the other hand, several brethren have come to me during our present sessions, and without hesitation declared they would not give heed to the voice of the Assembly touching the requirements just mentioned. So the Declaration and Testimony men have declared both privately and publicly, and this is the head and front of our offending. We have proclaimed openly and above-board, on the house-tops, what others all over the land have said in the ear and in the closet, and for this we are arraigned, and are about to be cut off from the Church of our choice and our fathers. Well, be it so. But those who apply the knife of excision must testify in the very act of punishment that we had good reason to complain of proceedings which they themselves set at naught. Especially did the cause of complaint become urgent and inexorable in its demand upon the attention of those who lived in Missouri. One of our ministers, well known to many of us as a laborious and faithful preacher of the Gospel, applied to the Board of Missions to furnish him pecuniary aid in the work of preaching Christ to dying men. In due time he received a reply from the Secretary of the Board in the following words:

“DEAR SIR—The General Assembly have enjoined the Board to commission no one except of loyal submission to the Government, and to the deliverances of the Church on the subject of slavery. We are informed your record is not fair, and we decline sending you a commission.

Yours, truly,

THOS. L. JANEWAY,
Cor. Secretary, &c.”

I have seen, sir, a copy of the answer to this astounding communication, which the worthy brother of whom I have spoken forwarded to the Secretary, and in that answer he solemnly declares that he is and always has been a loyal man. He preached constantly during the war in a part of the State where suspicion of disloyalty was almost certain death, and although officers and soldiers frequently attended his ministry, he suffered no disturbance at their hands. And yet this consistent man of God was cruelly denied the assistance he so much needed, and was driven to hard manual labor to obtain a support for his wife and little ones.

Another brother, whose loyalty I have never heard questioned, made application to the Board for aid, and received the unanimous endorsement of his Presbytery—a Presbytery, too, enrolling among its members some who are loyal to the highest possible degree, and according to the highest possible standard—but after a while the decree came forth from the Secretary’s office in Philadelphia :

“Mr. Forman will hardly come up to the requisitions of the last General Assembly. His is *quasi* loyalty, and he is hardly in accord with the Presbyterian Church in its declaims on freedom. It may be hard for him, but he reaps as he sowed. Such men have well-nigh

ruined the Church ; and it is hardly expected that loyal men will contribute to support one in affiliation with rebellion. Yours truly,
T. L. JANEWAY."

What, Mr. Moderator, was to be done under these circumstances? We were either to place ourselves in an attitude of resistance to the injunctions of the Assembly, or to see brethren whom we knew and loved crushed by the operation of an order that seemed to us most cruel and unrighteous. I leave it to every generous heart to determine what was the path of honor and the path of duty. The Declaration and Testimony party disobeyed, and hence we are here to answer for our sin ; but here on grounds that justify our emphatic protest in the sight of God and angels and men.

I need not occupy your time in a discussion of the second inquiry concerning our right to protest, for every Presbyterian in the world recognizes the right, and enjoys the right, when he sees fit to employ it in the expression of his views, or in the protection of his sacred privileges. Perhaps there has scarcely ever been an Assembly without a protest being entered on its records, and every year the proceedings of this venerable body pass in review before the Synods and Presbyteries to call forth an expression of their views, and to receive their intelligent sanction or their respectful dissent. It would be idle, therefore, for me to establish a proposition which is self-evident to every member of this Assembly.

I pass, then, to a consideration of the last question—Is the protest contained in the Declaration and Testimony, and adopted by the Presbytery of Louisville, presented in a spirit and form justified by the necessities of the case? Mr. Moderator, in answer to this inquiry it might be sufficient to state that we all listened attentively to the lengthy report of the Committee on this vilified document. That committee had it long under consideration, and doubtless scanned it carefully and anxiously to discover every objectionable expression which it might contain. And what did they find? Nothing ; nothing, sir, after their laborious research, that can be fairly construed into disrespect to this venerable Assembly. Even the score of extracts which have been read in your presence, and which I can easily show to be cruelly garbled, did not present a phrase or word which struck me as discourteous. It may be owing to my ignorance of the "fatal imposture and force of words," or my want of a refined and cultivated literary taste, but I confess I cannot see any reason for all this uproar about the violent language employed in the paper now before the house. Gentlemen may rave and rage as they denounce its fierce and vituperative style, and invoke the hot thunderbolts of hell to strike us dumb and to strike us dead, but they will come much nearer to something that is tangible when they are kind enough to point out the expressions that are so disrespectful as to justify our expulsion from the Church.

It is a remarkable fact that in a debate extending through two weeks, not even one speaker from the majority has touched the merits of the question before the house, either by attempting to expose the unsound-

ness of the principles contained in the Declaration and Testimony, or the impropriety of the language in which these principles are embodied. We have had denunciation without measure, but not a word of argument or proof. I submit, sir, that the accusers of the Louisville Presbytery have utterly failed to make out their case, even on the ground of disrespectful terms employed in the paper for which they have been arraigned at your bar.

But there is another way of determining the question which I am now discussing. It is by way of comparison. We will take other protests from other parties, and see whether the Assembly has been in the habit of judging harshly of those who assail their action, or whether the present Assembly is disposed to deal out an even-handed justice to all without respect to persons who are involved in the same condemnation. The gentleman from Ohio (Dr. Thomas) tried to draw a distinction between what he was pleased to call the organized rebellion of the Presbytery of Louisville, in formally adopting the Declaration and Testimony, and the individual action of others in various parts of the country who signed that immortal document. But I shall show you that it is a distinction without a difference. I shall show you that numerous judicatories have taken practically the same ground occupied by the Presbytery of Louisville; and hence, even for consistency's sake, should receive precisely the same treatment at your hands.

I will not occupy your time by citing in proof of this assertion the action of a large number of church sessions in view of the unconstitutional proceedings of the General Assembly, but call your attention first to the action of *Transylvania* Presbytery, prepared by Rev. W. L. Breckinridge, D. D.

"The Presbytery of Transylvania, having maturely considered the proceedings of the last General Assembly, (1865,) find in them several acts touching the troubles in the Church, which, in our judgment, exceed the powers of the Assembly, and are unwise and inexpedient, if they were otherwise; which we also judge to be impossible of execution where they were intended to be enforced, therefore nugatory as to their design."

The Presbytery of *Ebenezer*, at its last fall session, declare, "1st. We find neither in the Word of God, nor in the Confession of Faith of the Presbyterian Church, the least authority to interrogate the minister or private member on the subject of loyalty to the General Government; and while this Presbytery recognizes the right of every Presbytery to examine ministers asking admission into their body as to soundness in the faith as revealed in the Word of God, yet this Presbytery does most unhesitatingly deny that the questions involved in the matter in hand are a part of the "faith" of the Presbyterian Church, inasmuch as they relate solely to the policy of civil government. We believe that the introduction of such questions into our Church courts is fraught with mischief, as it assumes the decision of civil questions by an ecclesiastical body, and tends to destroy the peace and harmony of the Church as a kingdom not of this world. This Presbytery, there-

fore, expresses its firm determination not to investigate the civil relations of ministers or private Christians, assured that its jurisdiction as a court of Christ's Church is limited to things spiritual and ecclesiastical. 2d. That this Presbytery will neither accede to nor enforce any new terms of Christian or ministerial communion on the subject of slavery; nor will they allow 'cordial sympathy' with the Assembly's action touching this matter to control the reception or good standing of ministers and members."

The third resolution, after announcing that the Presbytery had ceased its connection with Dr. Janeway's Board in the work of Domestic Missions, declares that the action of the Assembly concerning this subject "embraces, in our opinion, an unwarranted assumption of power, as well as a perversion of the objects of the Church—claiming that in addition to the fact that the qualifications above specified are thoroughly unscriptural, this whole matter of ministerial qualification belongs solely to the Presbytery." Here, sir, the Presbytery announces its firm determination not to obey the action of the Assembly, which it declares to be an unwarranted assumption of power, as well as a perversion of the objects of the Church. Is there anything stronger than this in the Declaration and Testimony?

The Presbytery of Sangamon, (Illinois,) a loyal Presbytery in a loyal State, unanimously adopted the following resolutions with regard to the Assembly's acts of 1865:

Resolved, That we, as a Presbytery, in the examination of persons seeking admission to our body, will adhere strictly to the form specified in our standards, believing that there is nothing in the existing state of affairs to justify us in departing therefrom, and that we recommend the pastors and sessions of the churches under our care, to stand in the ways and see, and ask for the old paths where is the good way, and walk therein.

2. That we regard the Board of Domestic Missions as the mere servant of the Presbyteries—the executor of the Presbyteries' will—and we cannot consent that it should be clothed with power to sit in judgment upon a Presbyterial recommendation. We cannot tamely submit to have this or any other Board thus set up as lords over God's heritage.

3. That if the Board of Domestic Missions should presume to exercise the power thus unwisely granted, we will feel ourselves called upon to withhold our contributions from said Board, and to seek some other avenue of contributing to this most worthy cause.

This, Moderator, seems to me to be right decided language for a loyal Presbytery, and places it in the same condemnation with the Louisville Presbytery.

So, too, we find the Presbytery of Lewes (Md.), which met May 3, 1865, declaring "that we sincerely deplore the action of the General Assemblies of our Church during the past five years upon the political questions which have convulsed the country with strife and war; that, in our judgment, such action was not authorized by the constitution

of our Church," and if not authorized by the constitution of the Church, of course they do not mean to obey it.

If time permitted, I would read in your hearing equally emphatic resolutions adopted by several other Presbyteries, and by the Synods of New Jersey, Missouri and Kentucky. The first of these dissents unanimously from the action of the Assembly, mainly on constitutional grounds, and because it will necessarily aggravate and perpetuate, instead of healing, the breaches between the Northern and Southern Church. The Synod of Missouri adopted, by a vote of three to one, a paper which condemns the action of 1865 in terms as bold and explicit as those found in the Declaration and Testimony; and the Synod of Kentucky last fall passed a series of resolutions, the first of which, on a motion to adopt the whole, received the vote of Rev. R. J. Breckinridge, D.D., on a call for the ayes and noes. I will give the resolution that the Assembly may perceive the amazing inconsistency of those who have dragged the Louisville Presbytery to your bar: "The acts of the last General Assembly, on overtures Nos. 6 and 7, and resolution 4, on the report of the Board of Domestic Missions, in the judgment of this Synod, are *unwise*, as tending to destroy the peace and harmony of the Church, and in some of their provisions *unconstitutional* and *unscriptural*; and we indulge the hope and belief that the General Assembly, in calmer times, will review and correct these deliverances." And yet these same gentlemen have hurried the Louisville Presbytery before you, and demand their instant expulsion from the Church, for saying precisely what they have said, to-wit: That the action of the Assembly was *unwise*, *unconstitutional* and *unscriptural*, and hence of no binding force. Consistency is indeed a jewel; but I cannot find it in the prosecution or in the majority of this House, if either of the papers before us is finally passed.

But let me go to older records to show you how the Assembly was in the habit of dealing with judicatories and ministers who defied its authority and despised its institutions. It is a noteworthy fact, Mr. Moderator, that the Presbytery of Chillicothe, which has the honor of having furnished this Assembly its presiding officer, refused to send commissioners to the General Assembly, on account of the excising acts of 1837, and afterwards because the Assembly declined to make slaveholding a term of membership. It is a noteworthy fact that the same Presbytery, so prominently represented here, passed the following resolution:

"*Resolved*, That this Presbytery cannot hold fellowship with any Presbytery, Synod, or other ecclesiastical body, while it tolerates under its jurisdiction either the sin of slaveholding or the justification of the sin of slaveholding; and especially the justification of it by appeal to the Scriptures, which, in the judgment of this Presbytery, is blasphemy of Almighty God, and a shocking prostitution of His Word."

I have never heard that the General Assembly, and particularly the

gentleman from Ohio (Mr. Thomas), summoned the red-hot thunderbolts of hell to smite the Presbytery of Chillicothe for pronouncing the action of our venerable court blasphemy of Almighty God, and a shocking prostitution of His Word; but then we must remember that circumstances alter cases, and now it turns out to be the Presbytery of Louisville which is arraigned here for the use of terms which all must admit are far less reprehensible than those employed, and never retracted, according to the best of my knowledge and belief, by the Presbytery of Chillicothe.

But I find still stronger language, if this were possible, in regard to the action of 1845, and I commend it to the attention of the Assembly. It is extracted from the leading article of the Christian Monthly Magazine, Vol. I., No. 6, September, 1845, and edited by one *Thomas E. Thomas*, who at that time resided in Hamilton, Ohio. If he did not write it, he at least gave it his hearty approval, and I trust the brethren who are so sensitive about the dignity of the Assembly will listen to it. "That homely maxim, he that steals will lie, is sound Bible theology. The amount of it is, that the man who wilfully violates one of God's commands, will not hesitate to defend himself by the violation of some other command; and frequently he will do it undisturbed by the consciousness that he is adding sin to sin.

"A richer document, in both *proof* and illustration of this, we have rarely seen than the report on the subject of slavery adopted by the last General Assembly. It clearly proves the declaration of the advocates of universal liberty many years ago, that the united wisdom of the highest judicatory of the Presbyterian Church cannot defend slaveholding, or any gross violation of God's law, without uttering nonsense, or falsehood, or heresy, or blasphemy.

"Is it true that the highest court of the Presbyterian Church stands on the concession that slaveholders are not to be disciplined? Our object in this inquiry is not to convict the last Assembly of a breach of the ninth commandment. But we wish to expose a slander, * * and to call attention to the falsehood, absurdity and moral filth, always and necessarily embodied in an apology for the sin of slavery, even when it is carefully prepared by a body composed of chosen delegates from every section of a large denomination." "A little stealing makes a Presbyterian a thief—but stealing largely makes him a saint."

There, sir, to borrow the gentleman's own chaste and classical language, let him stick this feather in the tail of his judgment, and appear again on the platform to the gaze of his admiring friends. This man could call the Assembly of 1845 a *thief* and a *liar*; could charge it with uttering *nonsense*, *falsehood*, *heresy* and *blasphemy*; could pronounce its action full of *absurdity* and *moral filth*, and as his reward is exalted to be the recognized champion and leader of the majority in the Assembly of 1865; while the Declaration and Testimony party, for trying by a firm but temperate course to bring back the Church to her forsaken and dishonored standards, are to be driven from the visible fold of Christ. Admitting that our protest contains expressions offensive to the As-

sembly, they cannot be worse than the epithets just quoted; and why this great distinction between the offenders?

“Strange all this difference should be
Twixt tweedledum and tweedledee.”

But perhaps the difference may be accounted for by a principle embodied in another familiar couplet which leads certain men to

“Compound for sins they are inclined to
By damning those they have no mind to.”

So it may be in this instance, and the Presbytery of Louisville will probably be stricken down for using language far less offensive to good taste and far less disrespectful to this body than that which others have been permitted to employ with impunity. Nay, to put the case in a still clearer light, they will be sacrificed for openly saying what others over the entire land are secretly saying—for boldly taking the position which others are everywhere clandestinely assuming. Our brother from Philadelphia, (Dr. Boardman,) pointedly declared, this afternoon, that he did not believe there were five men in the Assembly who would refuse to endorse the principles set forth in the Declaration and Testimony; and is the Presbytery of Louisville to be dissolved for expressing these principles in language that may seem to some a little too strong? If this is so to be, sir, then I am free to say that all who signed the protest which they adopted are bound by the tender claims of friendship, by the high demands of honor, and by the sacred obligations of duty, to fall with them.

If this is the fixed purpose of the “solid majority of four to one” in the Assembly, then, in my judgment, the adoption of the paper presented by the committee will be the wisest course that can be pursued. This will end the conflict at once by getting rid of all who have dared to raise a warning voice against the unconstitutional and unscriptural proceedings of the Assembly; but mark my prediction, the acceptance of the amendment offered by the gentleman from Kentucky, (Dr. Humphrey,) or of the substitute offered by the gentleman from Washington City, (Dr. Gurley,) will not bring peace to the agitated bosom of the Church.

And yet, Mr. Moderator, strange as it may appear to the Assembly, peace is what I most earnestly desire. To purchase that peace, although the remark will no doubt call forth another sneer, I would cheerfully offer myself a victim to appease the insulted dignity of the body. I was taught at my mother’s knee to venerate the General Assembly of the Presbyterian Church next to my God, and it was certainly far from my design or wish to use unbecoming and disrespectful language towards this high Court of Jesus Christ. Show us that we are in the wrong, and most gladly and promptly will we retract our declaration and nullify our testimony; but, depend upon it, injustice and needless severity will not quiet the disturbed elements that threaten the stability of our Zion. We may fall, but others will take up our cause and carry it forward to victory, if not speedily, then surely at the appearing of our Lord. We bide our time, and standing unmoved in

the consciousness of right, are not here to ask for mercy, but to ask that you, too, may do that which is right in view of the account we must all so soon render in the day of judgment.

Brethren, in arriving at your verdict concerning the Louisville Presbytery, bear in mind that I am chiefly responsible for the Declaration and Testimony. I did not write it, but I inaugurated the movement which led to its preparation and publication, and if, in so doing, I have disturbed the peace or retarded the prosperity of my beloved Church, withhold not, I pray you, the blow which shall lay me prostrate at your feet.

When I read the acts of the Assembly of 1865, for the first time in my life I was obliged to assume an attitude of resistance to the authority of this venerable body. Although dissatisfied with the acts of the four preceding Assemblies, I looked upon them as plague-spots that had appeared only on the walls, and fondly hoped that the dire infection would not reach the deep foundations. But, sir, when the Assembly of Pittsburgh had closed its sessions, nothing was left for me to do, except to withdraw from all connection with our ecclesiastical Courts, or to gird myself for the conflict. The former course I much preferred, and was on the point of pursuing it when letters began to reach me from various quarters urging co-operation in the attempt to reclaim the Assembly from its wanderings.

This attempt, so far, has signally failed, and nothing has come of it yet save excitement, wrangling, and in all probability division. We made the effort with downright earnestness, and perhaps with too much rudeness; but we thought that we were justified by the pressing necessities of the case, and hence were not over-careful in the choice of the means to accomplish our end. We might have been more particular in our selection of nice words, but we really felt that there was no time to parley about delicate shades of meaning and courtly phraseology. We believed that the ship of Zion, so graphically described by the brother from Philadelphia, (Dr. Boardman,) was out upon a turbulent sea with a crew that had destroyed the old charts under which she had sailed so long, and thrown overboard the pilots who had guided her so prosperously towards the desired haven; and we determined, if possible, to rescue the gallant vessel from their lawless control.

Mr. Moderator, while listening, just before the close of the afternoon session to the earnest and eloquent tones of this brother, my attention was called away by the sudden darkening of the windows. I looked up and saw a black volume of smoke roll heavily towards the sky, and the next moment heard the sharp, quick cry of fire, and the hurried tramping of feet, and the rattling of the swift engines, as those who are set to guard our city against the destructive element rushed forward to quench the angry flames. They went hastily, and I suppose rudely, for they could not be very ceremonious while the fire was darting its red tongue above the roof that sheltered us. Thus, sir, it was with the Declaration and Testimony men. They saw the beautiful

temple in which our fathers worshipped on fire, and with a loud shout they dashed into the midst of the curling flames to save our holy place from utter destruction. Even granting that the danger was not so great as they apprehended, must they be deemed worthy of severe punishment for a mere excess of zeal in a righteous cause? If so, they will receive the stroke not in anger, but in unutterable sadness; having, as their last consolation, the sweet thought that Christ sits enthroned in undisturbed composure above all these tumultuous passions of earth, and will surely vindicate His faithful followers at His coming. What, meantime, is to be the result of all this strife, none can predict. We only know that there is One in heaven who will bring order out of confusion, making the wrath of man to praise Him, and the remainder of wrath restraining by His almighty hand.

A song which once stirred the heart of a nation and changed the destiny of an empire, owed its origin to a storm. A poet went forth to gaze upon the face of nature, after a tempest had held high carnival in one of her most lovely retreats. While musing upon the desolations around him, he heard the bewitching melody of a bird ascending in praise to God, and the melody awoke the slumbering music of his own soul. The bird sang so gratefully because refreshed by the water which it had just been drinking from the upturned cup of an acorn lying on the ground; and the acorn had been dislodged from its lofty bough by the violence of the storm, which, though casting it down, also filled its dissevered cup with the rain. After all, then, the storm gave to the world a mighty and immortal song, and I can only pray that the tempest which is now beating upon our beloved Church may suggest truths to some chosen servant of God which will impart to the anthems of the redeemed who are to come after us a loftier and sweeter rapture.

"Behold, we know not any thing;
I can but trust that good shall fall
At last—far off—at last to all,
And every winter change to spring."

Mr. Moderator, I thank you for the courtesy which you have shown during these discussions to me and to the little minority which I represent.

Fathers and Brethren, I thank you for the patience and the kind attention with which you have listened to one defending a cause so unpopular.

May the blessing of God rest upon this venerable Assembly.

APPENDIX.

[The following protest, prepared by Rev. Dr. Boardman, so eminent for his courtesy to all, was refused a place upon the records of the Assembly, on the ground that it was disrespectful to the body. I have concluded to print it as an Appendix to this pamphlet, that the reader may judge for himself whether, like the Declaration and Testimony, it was the language or the truth which it contains that seemed too sharp for the Assembly to handle.

J. H. B.]

The undersigned, for themselves and others, respectfully protest against the entire proceedings of the General Assembly concerning the Louisville Presbytery, and the signers of the "Declaration and Testimony."

1. The summary exclusion from this house of the Commissioners of the Louisville Presbytery, under the operation of the Previous Question, without allowing them or their friends one word of defence or explanation, was, in our judgment, a usurpation of powers not belonging to the General Assembly; a gross invasion of the rights of the Presbytery; an act of oppression towards the Commissioners themselves, and a violation of those principles of justice and equity which every deliberative assembly, and especially a court of Jesus Christ, is bound to hold inviolate. For a proper analysis of this procedure, we refer to a protest of certain members of this body, to be found in the minutes of the 22d ult., and in most of the reasons of which the undersigned concur.

We lay the utmost stress upon this point, because everything that followed pertaining to this business must be judged in the light of the fact that the Assembly was passing upon the conduct of men who, by its act, not their own, were not present to defend themselves. The allegation that the Assembly offered to hear them when a report was introduced proposing to visit upon them the severest penalties, can be of no avail. For in the resolution of expulsion, it was their Presbytery which was arraigned, and they could not properly return to their seats without counselling with their Presbytery. Nor is it believed that there was a single member of the Assembly who expected them to plead at the bar of a court which had opened their case by ejecting them from their seats unheard, and three days after voted down a resolution to re-admit them to their seats until their case should be disposed of.

2. Throughout the entire course of these proceedings, and pervad-

ing the elaborate arguments of the majority, it was maintained that this was a "judicial case," and that these brethren were "on trial" before the Assembly. Whereas, the notorious fact is, that they had never been arraigned and tried; that neither in Presbytery nor Synod had there been any mention of formal charges, of citations, witnesses, or any of the steps essential, under our Constitution, to a judicial process. The Form of Government and the Digest show that it is not competent to a judicatory to take up a case *judicially* on "Review and Control." And this plea is further barred by the fact that the records of the Presbytery of Louisville were not before the Assembly. As the General Assembly has no original jurisdiction in cases of "offence," the whole proceeding, insofar as the case was treated judicially, was, in our judgment, irregular and unconstitutional.

3. The case was biased by the action of a Convention called together to consider these matters on the eve of the Assembly's meeting, and sitting, it was currently reported, with closed doors. The inflammatory memorial sent to the Assembly by this Convention, (some of them members of the Assembly,) disclosed a state of mind on the part of its authors ill-suited to calm and impartial deliberation upon such questions as were involved in this case.

4. The severity of the judgment visited upon these brethren was greatly disproportioned to their offence. No one has charged them with heresy or immorality. The principles affirmed in their pamphlet are substantially the principles incorporated in our Confession of Faith, and held by our whole Church. They believed that several General Assemblies had violated these principles, and especially that the Assembly of 1865 had undertaken to impose certain laws upon the Church in derogation of the plain provisions of our Constitution. In this belief they are sustained by the Synods of New Jersey and Philadelphia, by several Presbyteries, and by numerous ministers and laymen of the Church. Their error lay in the measures by which they sought to redress these evils. We do not justify them in these measures. We condemn them. But we admit that they should have been allowed to plead their own case, without its being prejudged, as it was, by their instant exclusion from their seats on the second day of our session. We insist that they should have been allowed time to review their proceedings, and cancel (if so disposed) the offensive terms they have applied to the General Assemblies of the Church. We do not object to their being required to do this, and to answer to their Presbyteries and Synods, and to the next General Assembly, as to what they may have done in the premises; but we regard the spirit and terms of their exclusion from all the Church judicatories, (the session excepted,) until the next Assembly, and the contingent dissolution of Presbyteries as needlessly harsh measures, pregnant with evil to the Church. And we fortify this conclusion by the fact, fully established in debate, and controverted by no one, that one of the Presbyteries now represented in this house, and even one or more of the members of this very Assembly, had used language and performed acts quite as pregnant with

rebellion towards the Assembly, without being subjected to the slightest censure.

5. We protest against these measures because they will inevitably tend, as we believe, to foment strife and alienation. The Church needs repose. Rent asunder by the war, and agitated with conflicting passions, it requires to be soothed and cemented and comforted. The final action of the Assembly, as connected with the previous measures and debates (for the whole must be taken together), can hardly fail to bring about another secession or separation; to divide congregations; to instigate law suits; to diffuse and prolong a bitter but hitherto local controversy; to create wide-spread dissatisfaction with the deliverances of the Assembly, and to alienate many of the best friends of our institutions. With one accord our several Boards have appeared before us, deploring the falling off in their receipts, and the decay of sympathy in their operations. We greatly fear that the measures against which we protest will aggravate these evils.

6. We believe that the interests of the Church and of the country are identified, and thus believing we protest against these proceedings as adapted to impair the capacity of the Church for its legitimate and beneficent work, and to increase and perpetuate the jealousies and animosities which still vex the land.

7. And, finally, we protest against these ordinances because they are likely to defer, if not prevent, that Christian co-operation between the Presbyterian Churches North and South, which is so needful to the evangelizing of our people, and especially to the religious instruction of four millions of freedmen, most of them now as sheep without a shepherd.

In General Assembly at St. Louis, Mo, June 2, 1866.

HENRY A. BOARDMAN,
J. S. McCLELLAN,
J. E. SPILMAN,
CHAS. A. MARSHALL.

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