

respectability and comfort on small means, are carried beyond what other civilized people can conceive. The striking and extraordinary formation of human character there, will make the transition which the people are now to commence, from heathenism to Christianity, a worthy subject of intelligent study for ages to come. There will be marked formations of Christian character. There will be peculiar modifications of Christian society, particularly during their transitional state, and until they take the settled progressive form of modern civilisation. There are now some singular indications that the course of religious revolutions which are coming to Asiatic customs, manners, and habits, is to be led on by China ; a people, who though ignorant, and filled with the lowest kind of national pride, are still ambitious of social and national eminence in the world, and possessed of some of those noble qualities, which have a strong and admirable affinity for Christianity. How glorious the prospect of seeing such a people preparing to come into the kingdom of Christ, of numbering those hundreds of millions of our fellow-men among the followers of Jesus, as helpers in the earthly progress of the human race, and heirs of the heavenly glory.

It is great encouragement to have so large and promising an addition to the vineyard of the Lord, where our contributions as supporters of Christian missions may go to increase and ripen the harvest of Christian life and joy on earth.

How sublime and inviting a field for young ministers of the Gospel and their helpers, whose hearts are praying, and whose hands are labouring, that the kingdom of Christ may come.

J. W. Y.

REVISION OF THE BOOK OF DISCIPLINE.

ALTERATIONS in the Constitution of the Church are seldom undertaken. *Doctrinal Articles*, framed in the wisdom of the Fathers, are invested with so much sanctity, that even errorists prefer the liberty of their own private interpretation to the odium involved in seeking fundamental changes. The *Form of Government* of a Church is more exposed to innovations. But even here, there must have been radical defects originally, in order to justify frequent changes in its principles, or modes of procedure. We have often been amazed at the frequency with which Episcopal Conventions frame new Canons to regulate their affairs. The minor peculiarities of their Form of Government being outside of the Prayer Book, the Bishops, Priests, and laity amend, change, and project Canons with a licentiousness of innovation that quite appals the steady sobriety of Presbyterianism. The Presbyterian Form of Church Government has undergone no material change in its provisions of principle or administration, since the meeting of the Westminster Assem-

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bly. A few unimportant alterations, chiefly connected with our transatlantic position and our growth, are all that were attempted at the formation of our General Assembly, or at the revisions of 1805 and 1821. In the Assembly at Lexington, in 1857, when the venerable Dr. Hoge moved to refer the Form of Government, as well as the Book of Discipline, to a committee for revision, the motion was rejected almost unanimously, or at least, by a very great majority. Our people are averse to changes of this kind.

A mere *Book of Discipline*, from the nature of the case, is more liable to emendations than a Form of Church Government. The legal methods of accomplishing the purposes of discipline are fairly open to the corrections of experience. And it may be rationally expected that, in a course of years, various improvements may be inwrought into the framework of Judicial Forms and Processes.

We propose, in the present Article, to make some observations on our Forms of Discipline, introductory to an examination of the recent Revision.

I. THE OLD PRACTICE of the Presbyterian Church in the United States, as regards discipline, prior to the organization of the General Assembly, was in general conformity with the acts and decisions of the Church of Scotland. The Westminster standards do not contain any Book of Discipline. They comprise a Confession of Faith, a Form of Government, and a Directory of Worship. The general principles of judicial administration are, indeed, laid down in the Form of Government, but the particular modes of process were left to the wisdom of the Church Courts. The ancient legal provisions and practice of the Church of Scotland are contained in the Collections of Stewart of Pardovan; and the Church Courts of this country followed the Scotch practice, with some incidental variations, until our own Book of Discipline was formed. The old Synod, in a Letter to the Reformed Dutch Church, in 1786, communicates the following intelligence concerning their mode of proceedings : “ The rules of our discipline and the forms of process in our Church Judicatories are contained in Pardovan’s (alias Stewart’s) Collections, in conjunction with the acts of our own Synod, the power of which, in matters purely ecclesiastical, we consider as equal to the power of any Synod or General Assembly in the world.”*

II. FORMATION OF THE AMERICAN BOOK OF DISCIPLINE,—The inconvenience of depending upon the laws and customs of the Presbyterian Church of Scotland, which were incorporated in a volume not generally accessible, led our Synod, in view of the approaching organization of the General Assembly, to prepare a Book of Discipline, in connection with a revision of all their standards, so

* Records, p. 519.

that the whole should be adapted to the condition of things in our own country.

These proceedings were initiated in the year 1785.

“ On motion, Ordered, That Dr. Witherspoon, Dr. Rodgers, Mr. Robert Smith, Dr. Alison, Dr. Smith, Messrs. Woodhull, Cooper, Latta, and Duffield, with the Moderator, Mr. Wilson, be a committee to take into consideration the constitution of the Church of Scotland, and other Protestant churches, and, agreeably to the general principles of Presbyterian government, compile a system of general rules for the government of the Synod, and the several Presbyteries under their inspection, and the people in their communion, and to make report of their proceedings herein at the next meeting of Synod.”*

It will be noticed that this action included a revision of the Form of Government as well as the compilation of a Book of Discipline.

This Committee made a report to the Synod in 1786, when the following action was taken :

“ On motion, Resolved, That the Book of Discipline and Government be recommended to a committee, to meet in the city of Philadelphia on the second Tuesday of September next, who shall have powers to digest such a system as they shall think to be accommodated to the state of the Presbyterian Church in America, that they shall procure three hundred copies to be printed and distributed to the several Presbyteries, in proportion to the number of their members under the engagement of this Synod, to have the expense of printing and distribution reimbursed to the committee at their next meeting; and every Presbytery is hereby required to report in writing to the Synod, at their next meeting, their observations on the said Book of Government and Discipline.”

The committee appointed to attend to the above business were Drs. *Witherspoon*, *McWhorter*, *Rodgers*, *Sproat*, *Duffield*, *Alison*, and *Ewing* ; Mr. *Matthew Wilson*, and Dr. *Smith*, with *Isaac Snowden*, Esquire, Mr. *Robert Taggart*, and Mr. *John Pinkerton*, elders.

In 1787, “ the Committee appointed to prepare a draught of a Plan of Government and Discipline, reported that they had, agreeably to order, prepared a draught, and distributed copies to the respective Presbyteries. Ordered, that the several Presbyteries bring in their observations on the said draught in the afternoon.”

After considering the proposed draught in detail, for *thirteen* different sessions, extending through *eight* days, the Synod came to the following vote:

“ The Synod, having gone through the consideration of a draught of a Plan of Government and Discipline, Dr. Rodgers, Dr. McWhorter, Mr. Miller, and Mr. Wilson, Jr., were appointed a committee to have a thousand copies thereof printed, as now amended, and to distribute them among the Presbyteries for their consideration, and the consideration of the churches under their care.”†

In 1788, “ the Synod proceeded to the consideration of a draught of the Form of Government and Discipline of the Presbyterian Church in the United States of America,” and after attending to the subject during six

* Records, p. 512.

† The proceeding, of the Synod in 1787, may be found (but not in detail) in the Records, pages 531, 3, 4, 5, 9, and 540 ; and in 1788, on pages 545, 6.

sessions, extending through four days, concluded their action by the following minute :

“The Synod having folly considered the draught of the Form of Government and Discipline, did, on a review of the whole, and hereby do ratify and adopt the same, as now altered and amended, as the Constitution of the Presbyterian Church in America, and order the same to be considered and strictly observed as the rule of their proceedings, by all the inferior judicatories belonging to the body. And they order that a correct copy be printed, and that the Westminster Confession of Faith, as now altered, be printed in full along with it, as making a part of the Constitution.

“Resolved, That the true intent and meaning of the above ratification by the Synod, is, that the Form of Government and Discipline, and the Confession of Faith, as now ratified, is to continue to be our constitution and the confession of our faith and practice unalterable, unless two-thirds of the Presbyteries under the care of the General Assembly shall propose alterations or amendments, and such alterations or amendments shall be agreed to and enacted by the General Assembly.”

The *Form of Government* thus framed does not essentially vary from the old Westminster plan; whilst the *Book of Discipline* is a new book, varying from the Scotch practice in forms rather than in principles. The only incidental allusion, that we can find in the minutes, in reference to the variations in our original Book of Discipline from the customs and decisions of the Scotch Church, is the following : “It was moved and carried that the form of process in Stewart of Pardovan’s Collection be read and considered as a basis of deliberation *along with the draught.*” But on the following day, “the Synod reconsidered the vote of yesterday respecting Pardovan’s Collection, when the *former vote* was agreed to.” P. 535.

In order that our readers may have a full view of our old and original Book of Discipline, and as it is not very long, we have concluded to insert it entire in this connection. The two chapters bear the title of “Forms of Process in the Judicatories of this Church.”

FORMS OF PROCESS IN THE JUDICATORIES OF THIS CHURCH.

With regard to SCANDALS or OFFENCES that may arise in our Churches, we agree to observe the following rules of proceeding:

1. Inasmuch as all baptized persons are members of the Church, they are under its care, and subject to its government and discipline; and, when they have arrived at the years of discretion, they are bound to perform all the duties of church members.

2. No accusation shall be admitted, as the foundation of a process before an Ecclesiastical Judicatory, but where such offences are alleged, as appear, from the Word of God, to merit the public notice and censure of the Church. And in the accusation, the times, places, and circumstances, should be ascertained, if possible, that the accused may have an opportunity to prove an *alibi*, or to extenuate or alleviate his crime.

3. No complaint or information on the subject of personal and private injuries shall be admitted, unless those means of reconciliation and of privately reclaiming the offender have been used, which are required by Christ, Matt. 18 : 15,16. And in all cases, the Ecclesiastical Judicatories, in receiving accusations, in conducting processes, or inflicting censures, ought to avoid, as far as possible, the divulging of offences to the scandal of the Church; because the unnecessary spreading of scandal hardens and enrages the guilty, grieves the godly, and dis-

honours religion. And if any private Christian shall industriously spread the knowledge of an offence, unless in prosecuting it before the proper judicatories of the Church, he shall be liable to censure as an uncandid slanderer of his brother.

4. When complaint is made of a crime, cognizable before any judicatory, no more shall be done at the first meeting, unless by consent of parties, than to give the accused a copy of each charge, with the names of the witnesses to support it ; and a citation of all concerned to appear at the next meeting of the judicatory, to have the matter fully heard and decided. Notice shall be given to the parties concerned, at least ten days previously to the meeting of the judicatory.

5. The judicatory, in many cases, may find it more for edification to send some members to converse, in a private manner, with the accused person ; and, if he confess guilt, to endeavour to bring him to repentance, than to proceed immediately to citation.

6. When an accused person or a witness senses to obey the citation, he shall be cited a second and a third time, and if he still continues to refuse, he shall be excluded from the communion of the Church for his contumacy, until he repent

7. No crime shall be considered as established by a single witness.

8. The oath or affirmation to be taken by a witness, shall be administered by the Moderator, and shall be in the following, or like terms : “ I solemnly promise, in the presence of the omniscient and heart-searching God, that I will declare the truth, the whole truth, and nothing but the truth, according to the best of my knowledge, in the matter in which I am called to witness, as I shall answer it to the great Judge of quick and dead.”

9. The trial shall be open, fair, and impartial. The witnesses shall be examined in the presence of the accused, or at least after he shall have received due citation to attend; and he shall be permitted to ask any questions tending to his own exculpation.

10. No witness afterwards to be examined shall be present during the examination of another witness on the same cause.

11. The testimony given by witnesses must be faithfully recorded, and read to them for their approbation or subscription.

12. The judgment shall be regularly entered on the records of the judicatory, and the parties shall be allowed copies of the whole proceedings if they demand them. And, in case of references or appeals, the judicatory appealed from shall send authentic copies of the whole process to the higher judicatories.

13. The person found guilty shall be admonished, or rebuked, or excluded from Church privileges, as the case shall appear to deserve; and this only till he give satisfactory evidence of repentance.

14. The sentence shall be published only in the church or the churches which have been offended. Or, if it be a matter of small importance, and it shall appear most for edification not to publish it, it may pass only in the judicatory.

15. Such gross offenders as will not be reclaimed by the private or public admonitions of the Church, are to be cut off from its communion, agreeably to our Lord's direction, Matt. 18: 17, and the Apostolic injunction respecting the incestuous person, 1 Cor. 5 :1-5. But as this is the highest censure of the Church, and of the most solemn nature, it is not to be inflicted without the advice and consent of, at least, the Presbytery under whose care the particular church is, to which the offender belongs, or the advice of a higher judicatory, as the case may appear to require.

16. All processes in cases of scandal, shall commence within the space of one year after the crime shall have been committed, unless it shall have become recently flagrant.

17. When any member shall remove from one congregation to another, he shall produce proper testimonials of his church membership before he be admitted to church privileges, unless the church to which he removes has other satisfactory means of information.

OF PROCESS AGAINST A BISHOP OR MINISTER.

As the success of the Gospel, in a great measure, depends upon the credit, and good report of its ministers, each Presbytery ought, with the greatest attention, to watch over all their members, and to be careful to censure them, when necessary, with impartiality, either for personal crimes, which they may commit in common with other men, or those that are vocational, arising from the manner in which they may discharge their important office.

1. Process against a Gospel minister shall always be entered before the Presbytery of which he is a member. And in case it shall be found that the facts with which he shall be charged happened without the bounds of his own Presbytery, they shall send notice to the Presbytery within whose bounds they did happen, and desire that Presbytery either (if within convenient distance) to cite the witnesses to appear at the place where the trial began, or, if otherwise, to take the examination themselves, and transmit an authentic record of their testimony. Always giving due notice to the accused person of the time and place of such examination.

2. Nevertheless, in case of a minister being supposed to be guilty of any crime or crimes, at such a distance from his usual place of residence, as that the offence is not likely to become otherwise known to the Presbytery to which he belongs, it shall, in such case, be the duty of the Presbytery within whose bounds the facts shall have happened, after satisfying themselves that there is a probable ground of accusation, to send notice to the Presbytery of which he is a member, who are to proceed against him, and to take the proof by commission, as above directed.

3. Process against a Gospel minister shall not be entered upon, unless some person or persons undertake to make out the charge: or when common fame so loudly proclaims the scandal, that the Presbytery find it necessary to prosecute, and search into the matter for the honour of religion.

4. As the success of the Gospel greatly depends on the unblemished character of its ministers, their soundness in the faith, and holy and exemplary conversation; and as it is the duty of all Christians to be very cautious in taking up an ill report of any man, it is especially so of a minister of the Gospel. If, therefore, any man know a minister guilty of a private censurable fault, he should warn him in private. But if he persist in it, or it become public, he should apply to some other bishop of the Presbytery for his advice in the matter.

5. When complaint is laid before the Presbytery it must be reduced to writing; and nothing further is to be done at the first meeting, unless by consent of parties, than giving the minister a full copy of the charges, with the names of the witnesses annexed thereto, and citing all parties, and their witnesses to appear and be heard at the next meeting; which meeting shall not be sooner than ten days after such citation.

6. At the next meeting of the Presbytery, the charges must be read to him, and his answers heard. If it appear necessary to proceed farther, the Presbytery ought to labour to bring him to confession; and if he confess, and the matter be base and flagitious, such as drunkenness, uncleanness, or crimes of a higher nature, however penitent he may appear, to the satisfaction of all, the Presbytery must, without delay, suspend him from the exercise of his office, or depose him from the ministry, and appoint him a due time to confess publicly before the congregation offended, and to profess his repentance.

7. The prosecutor shall be previously warned, that if he fail to prove the charges, he must himself be censured as a slanderer of the Gospel ministry, in proportion to the malignity or rashness that shall appear in the prosecution.

8. If a minister, accused of atrocious crimes, being three times duly cited, shall refuse to attend the Presbytery, he must be immediately suspended. And if, after another citation, he still refuse to attend, he shall be deposed as contumacious.

9. If the minister, when he appears, will not confess, but denies the facts alleged against him; if, on hearing the witnesses, the charges appear important

and well supported, the Presbytery must, nevertheless, censure him; and suspend or depose him, according to the nature of the offence.

10. Heresy and schism may be of such a nature as to infer deposition ; but errors ought to be carefully considered, whether they strike at the vitals of religion, and are industriously spread, or whether they arise from the weakness of the human understanding, and are not likely to do much hurt.

11. A minister, under process for heresy or schism, should be treated with Christian and brotherly tenderness. Frequent conferences ought to be held with him, and proper admonitions administered. Yet, for some more dangerous errors, suspension becomes necessary. But a Synod should be consulted in such cases.

12. If the Presbytery find, on trial, that the matter complained of amounts to no more than such acts of infirmity as may be amended and the people satisfied, so as little or nothing remains to hinder his usefulness, they shall take all prudent measures to remove the offense.

13. A minister deposed for scandalous conduct may not be restored, even on his deepest sorrow for sin, without some time of eminent and exemplary, humble, and edifying conversation, to heal the wound made by his scandal.

14. As soon as a minister is deposed, his congregation shall be declared vacant.

The Book of Discipline adopted in 1788, is, for *substance*, the basis of our present Book, so far as the subjects are common to the two books. Our present Book of Discipline embraces a large number of new subjects, to which a reference will be made in the proper place.

REVISION or 1808-1805.

The Book of Discipline of 1788 underwent no change until 1805, when two slight alterations were adopted, together with a few unimportant ones in the Form of Government. The Committee of Revision was appointed in 1808, under the following resolution :

Resolved, That the Rev. Drs. Blair, Tennent, and Green, the Rev. Messrs. Irwin, Milledoler, Potts, Linn, and Janeway, be a committee to take into consideration the expediency of publishing a new edition of the Confession of Faith, &c., of this Church; to consider whether any, and if any, what alterations ought to be made in the said Confession of Faith, &c., to make such preparatory arrangements on this subject as they shall judge proper, and to report to next Assembly.

This committee reported in 1804. Their observations on the general policy of making alterations in the Constitution of the Church, are worthy of perusal.* The amendments made in the Book of Discipline at this time were only two, viz. :

Chap. I, Section 12. Strike out "and" in the last sentence, and add to the section, " and it shall be considered as regular for any member or members who may have dissented from the judgment of the inferior judicatories, to state and support their reasons on the appeal."

Chap. II, Section 8. Strike out "three times" and insert "twice."

These two provisions are found in our present Book of Discipline.

* See " Minutes of the General Assembly from 1789 to 1820," pages 302, 3.

REVISION OF 1816–1821.

Another revision of the Book of Discipline was projected in 1816, and completed in 1821, by the adoption of the new Book by the Presbyteries. As our Book of Discipline, in its present form, is a great enlargement of the old one, and is, in most respects, an improvement upon it, and as it is now to be made the subject of an important revision, a sketch of its history is here given.

In 1816, the Committee appointed to examine the minutes of the Synod of Geneva, concluded their report with the following statements and resolution. The resolution was adopted.

Your committee further report, that the Synod of Geneva request the Assembly to give them information as to the method to be pursued in carrying into effect a sentence of excommunication against a deposed minister.

Your committee have not been able to obtain any satisfactory information as to the most approved method of procedure in such cases, and they have not ventured to sketch hastily even the outlines of an answer to be given by this Assembly to the above request. They recommend, however, the following resolution :

Resolved, That Drs. Romeyn, Alexander, and Miller, be a committee to re-examine our forms of process, and to prepare and recommend such additions and explanations as may appear needful and expedient, and report the same to the next General Assembly.*

In 1817, this committee reported that “ they had made considerable progress in accomplishing the duty assigned them, but as they desire to render the work as perfect as practicable, they respectfully solicit additional time, and request that the Rev. *Eliphalet Nott*, D.D., be added to the committee.”† Their requests were granted.

In 1818, the committee reported that “ they had made some progress in the business.”‡

In 1819, the committee reported their revision to the General Assembly, when the following action was taken on the report :

After a considerable discussion on the subject, it was

Resolved, That one thousand copies of the report, in its present state of progress, be printed, and that a number of copies be sent to the several Presbyteries, sufficient to furnish each member with a copy, with a view to obtain from Presbyteries and individuals, such suggestions and alterations as may appear to them expedient; that the same be transmitted, as soon as practicable, to the Rev. Dr. Miller, of Princeton, and that the committee, after availing themselves of the information thus obtained, review and amend their report, and submit the same complete to the next Assembly.

Doctors Green, Hill, and Janeway, were appointed a committee to prepare and report a minute to accompany the publication of the above report.

The committee appointed to prepare and report a minute to accompany the publication of the report of the Committee on the Form of Government and of Process, submitted the following, which was approved, vis. :

*Minutes, p. 612.

† Do. p. 647.

‡ Do. p. 688.

“ The General Assembly having heard and considered the report of the committee appointed to review the Form of Government and of Process, in the Constitution of this Church, and having resolved to print the same, think proper to accompany it with a few remarks, intended to prevent all misapprehension and mistake in regard to this publication. It is then to be distinctly understood, that no one alteration, addition, or suggestion in this report has as yet received the sanction of the Assembly; nor is the Assembly in any degree whatever pledged to support or approve any article or idea of this report. The committee themselves had explicitly stated that in regard to many of their suggestions, they are not yet prepared to give their own vote in favour of them. The whole is therefore published, simply and solely for consideration, and for the purpose of obtaining communications to aid the committee in perfecting the report for the consideration of the next General Assembly. If that body shall judge the way to be sufficiently prepared, they will submit to the Presbyteries distinct propositions for adoption or rejection, in regard to alterations and additions in the Form of Government and of Process in the Constitution of this Church. It will be noticed that communications intended for the committee ought to be made, in all cases, as speedily as possible; the more speedily the better. If not possessed by the committee by the first of April next, as the most remote period, they can be of little use, and perhaps can have no regard or influence in maturing the report of the committee.”

Resolved, That Dr. Miller be authorised, and he hereby is authorised, to engage a printer to print one thousand copies of the report of the committee appointed by a former Assembly, to review the Form of Government and of Process.*

In 1820, the committee made their final report to the General Assembly, which was accepted, and is as follows :

That since the meeting of the last Assembly they have reviewed with care the printed overture sent down to the Presbyteries by that Assembly. In this review they have been aided by suggestions and proposed alterations from fourteen Presbyteries and twelve individuals. While, however, the committee, in various parts of their labour, have been in no small degree assisted by these communications, their duties have also been thereby rendered more perplexing and arduous.

In endeavouring to adjust points of great delicacy and importance in the government and discipline of the Church, they have often found it difficult to satisfy their own minds ; but it has been in many cases far more difficult, not to say sometimes wholly impracticable, to combine the opposite views and to conciliate the diversified or contradictory wishes of Presbyteries and individuals.

In these circumstances, the committee have done the best in their power, and have made such modifications of their former report as are in their view best adapted to unite the opinions and promote the order and harmony of the whole Church. These modifications are now most respectfully submitted to this Assembly.†

The Assembly then proceeded to consider the alterations as revised and modified ; and, after an attentive examination during six sessions, extending through four days, amended the report, and

* Minutes, pp. 701, 2.

† Minutes, p.734.

finally adopted it in its present form. It was ordered to be sent down to the Presbyteries in the following manner :

4. That the report of the committee that have revised the Forms of Government and of Process, which has been adopted by the Assembly, be sent to the Presbyteries, and be taken up by them as an overture from this Assembly, and that they be required to pass a vote on each chapter, section, and article, and adopt or reject the same.

5. That the Presbyteries be particularly requested to send up an exact copy of the result of their votes in this case to the next General Assembly.

6. That every chapter, section, or article, adopted by a majority of the Presbyteries, shall be considered as a constitutional article, ratified and binding on the whole Church.

7. That one thousand copies of the report of the Committee on the Forms of Government and of Process, and also of the proposed alterations in the Directory that had been adopted by the Assembly, be printed under the superintendence of the aforesaid committee, and that the distributing agent be ordered to send by mail, as far as practicable, to the several Presbyteries, one copy for each minister.

In 1821, the Presbyteries sent up their answers upon the alterations proposed to their consideration, when it appeared that they had all been adopted. The committee appointed to ascertain the result, reported,

“ That there are connected with this Assembly sixty-two Presbyteries; that, therefore, the affirmative vote of thirty-two Presbyteries is necessary to make any one article binding ; that forty-five Presbyteries have reported to the Assembly their decisions on each chapter, section, and article ; that from these reports it appears that most of the articles have been adopted unanimously, and that every chapter, section, and article has been adopted by a majority of the whole number of Presbyteries; that the smallest number of votes given for any one article is thirty-seven ; that, therefore, *the whole of the proposed amendment* sent down by the last Assembly to the Presbyteries is ratified, and becomes a part of the Constitution.”*

The reader will bear in mind that, at this time, alterations were also made in the *Form of Government*. At some future opportunity, we propose to examine the nature and extent of the alterations in this part of the Constitution of our Church. At present, we have purposely confined our remarks to the *Book of Discipline*. The revision of the Book of Discipline, thus completed in 1821, has been the rule of action to govern the Church down to the present time.

The extensive additions and improvements introduced into our Book at this revision, will be readily seen on comparing the two Books.

The whole of Chapter VIII. “ Of the various ways in which a cause may be carried from a lower Judicatory to a higher,” relating to general Review and Control, References, Appeals and Complaints, and comprising no inconsiderable part of the Book, is new. So also are other chapters. The revision was thorough and able,

* Minutes of 1821, p. 9.

as was to be expected from a Committee composed of Drs. *Romeyn, Alexander, Miller, and Nott*.

The practice in our Church Courts, thus systematized and arranged, does not differ essentially from that of the Presbyterian Churches of Scotland. Although our brethren of the old Kirk do not incorporate their Judicial Forms into the Constitution, they conform their practice to the acts and decisions of their General Assembly.*

REVISION OF 1857-61 ?

A growing desire for some improvement in our judicial proceedings has manifested itself in our Church for some time past. The following overture, presented by Dr. Boardman to the Presbytery of Philadelphia, and sent by that body to the General Assembly, at length brought matters to a crisis.

“ The Presbytery of Philadelphia respectfully represent to the General Assembly, that, in their judgment, there is imperative need of a revision of that part of the Constitution of our Church which relates to judicial proceedings. We will refer, simply by way of illustration, to the obscurity of the Book, in respect of the question (in cases or appeal), ‘ Who are the original parties ?’ to the length of time needlessly consumed in the *calling of the roll*,—to the unrestrained liberty of discussion allowed to the whole aggregate of members belonging to the ‘ lower judicatories,’ and, generally, to the prolixity and tediousness which characterize the whole course of procedure in the higher courts of the Church. Owing to this cause, as the Presbytery believe, there is a constant disposition on the part of our judicatories, to *evade* the hearing of complaints and appeals ; and mere technical objections, it is to be feared, are sometimes insisted upon, to a degree, which amounts practically to a denial of justice to the parties concerned.

“ The forms now observed may have been quite suited to the Church when it consisted of only a score or two of Presbyteries, but they have, for many years past, been a vexation and an incumbrance.

“ We pray, therefore, that your venerable body may take the requisite measures to secure an entire revision of that part of our Constitution herein referred to.”

When the subject came before the General Assembly on the Report of the Committee on Bills and Overtures, Dr. R. J. BRECKINRIDGE, the Chairman, simply reported to the Assembly two overtures, one from the Presbytery of Philadelphia (as above), and the other from himself, proposing to change the Form of Government, so as to make the representation in the General Assembly by Synods instead, of by Presbyteries, and to limit the whole number of delegates to fifty ministers and fifty ruling elders. Dr. Breckinridge opened the debate with explanatory statements. We present to our readers the whole debate, as we find it reported in “THE PRESBYTERIAN,” of June 13th, 1857.

The Rev. *Dr. Breckinridge* said that every experienced minister and ruling elder must be aware that upon each of the subjects presented in these overtures, there were constantly increasing difficulties. As the Church increases, our business increases and our numbers grow larger. Before we undertake to apply any

* The former Acts and Decisions of the General Assembly are contained, as has been stated, in the *Collections of Stewart of Pardovan*. This work was first published in 1708. About the time of the Disruption, a work on the same subject was published, entitled “Acts and Styles,” or sometimes called the “*Book of Styles*,” and more recently *Dr. Hill* compiled a small work in 12mo, condensing the forms of process. These books are virtually a Directory, exhibiting the principles and guiding the practice in conducting cases in the Courts of the Presbyterian Churches in Scotland.

remedy, we should understand precisely what we are to do. We cannot invest new principles of government, more especially in regard to Presbyterian Church Government, since our fundamental principle is that the Church has no right to make new laws, but that our legislative authority is the Bible. We have, therefore, no legislative power. All that is left to us is to declare and execute the will of God as contained in his holy word. We are an expository power. It is to a government by tribunals, not by individuals—executed by elders of two classes. Nine times out of ten, when you get an English or American lawyer into a church court, he is lost. The Scotch law is derived from the Roman law, with a Scotch stamp. Our discipline was made by Scotchmen, and mixes up their law ideas with their scriptural and Presbyterian tenets. Dr. Breckinridge then went into an explanation of the difference between our laws and the common law, and contended that in our church courts we cannot decide cases in the higher courts as to the law merely, without the facts. Decide upon that principle, and you will be settling questions of law which, as soon as they go down to be applied, will cause difficulty.

As to the other overture before us, the real difficulty is in the size of your body. You must reduce the representation and size of the Assembly ; and you ought to have a commission. By adopting a ratio changing always as your numbers change, you keep down forever the size of the Assembly. Let every Synod, however small, have a representation, and let the others, have a representation which shall always be proportioned to the fixed size of the Assembly, which he thought should never exceed one hundred members.

Objection is made to destroying Presbyterial representation, and transferring it to the Synods; but there are practical difficulties as to continuing the Presbyterial representation. You cannot enlarge the number of ministers in a Presbytery necessary for a representative, for obvious reasons. Unless you do something, you will, ere long, have a General Assembly of some five or six hundred members. As to the right to have a Synodical representation, he held that every church court is a Presbytery. All our courts are made up of Presbyteries. Your specific Presbytery differs from your Synod in no particular, except that one is larger than the other. And what is this General Assembly ? It is the whole Church met here by its two classes of officers bearing rule. Historically, it is the same as dogmatically. Dr. Breckenridge then rapidly ran over the various steps from the advent of Makemie to the organization of the General Assembly.

As to the appointment of Commissions. A committee is a body appointed to examine and *report*, a Commission to examine and *conclude*. You already have Commissions—your Boards and all Commissions. Dr. Breckinridge was opposed, therefore, to undertaking any changes in our mode of judicial proceedings. We must go to the root of the evil, and reduce the Assembly to a proper size for a working body; and in order to do this, you must resort to a Synodical representation. As to present evils, they are undoubted. All who have been accustomed to sit in our Assembly must know that our present mode of conducting judicial cases—in scraps of time, scraps of testimony, and scraps of speeches, &c., whilst other things were in the meanwhile discussed, is a mere sham. He would rather come blindfolded into the house, and take the first ten members he happens to touch, to try a case, than take the whole three hundred of you as at present. (Laughter.) The evils are unendurable. As to what we can now do, you can, if you choose, appoint men in whom you have confidence to consider the matter, and report to a future Assembly.

The Rev. Dr. *J. H. Jones*, of Philadelphia, said he was from the Presbytery that sent up the overture as to judicial proceedings. The last gentleman has expounded the very difficulties they had felt with great force. He was pleased with the course indicated by Dr. Breckinridge. Select the proper Committee and intrust this matter to them, to examine and digest. He had felt these evils for a long time. He hoped that by this course, and by light from, above, we should arrive at a happy deliverance.

The Assembly then adjourned till eight o'clock, P.M.

EVENING SESSION.—*Proposed Alterations of Government and Discipline.*

The unfinished business in regard to the change in judicial proceedings, &c., was taken up.

The Rev. Dr. *Wm. M. Scott*, of Cincinnati, said he desired the proposition before us to be so modified as to read that the Assembly appoint a Committee to examine and revise our Book of Discipline, and report on any modifications which may seem to be necessary. We need to facilitate our methods of proceeding. It will disembarass our system as now constituted, and we shall be able to go on for a series of years, even though our Church and this body should continue to grow. The constitution of the higher courts, the whole process of conducting judicial cases, and various matters, need to be re-examined and adjusted. Our discipline should be rendered harmonious with itself, and with the fundamental principles of the government as laid down in our Book. He moved, therefore, that a Committee be appointed to revise the Book of Discipline.

Judge Wm. F. Allen, of Oswego, N.T., said he would prefer that the resolution should be that they inquire whether any or what changes are necessary, and report. His experience was unfavourable to changing codes. He would not like to commit the Assembly to a revision. It is sometimes better to bear the acknowledged evils of an old code than run the risk of greater ones, or at any rate, the inconvenience occasioned in forming what would be virtually a new one.

The Rev. *Dr. Hoge*, of Columbus, Ohio, said, it is now nearly forty years since any alteration of consequence has been made in our Book of Discipline, and but little if any has been made in our Form of Government. With the lapse of time changes take place, and whilst he would not advocate any change of principle, he thought it would be well to have both the Form of Government and Book of Discipline put into the hands of a suitable Committee to inquire and report necessary amendments. Such a Committee, he felt assured, would not propose any material alteration. And if we can secure any modifications which would facilitate justice and judgment, he thought we should be well repaid for the labour which might be required. Dr. Hoge moved to amend the resolution by inserting also the "Form of Government." The remarks this afternoon, he said, as to the Constitution of the General Assembly, all had reference to the Form of Government. The two last sections of the thirteenth chapter in regard to ruling elders had also occasioned much difficulty. Our newspapers have also not unfrequently suggested other amendments needed.

The Rev. *Mr. Love*, of Newcastle Presbytery, said the chapter in reference to the dissolution of pastoral relations needed attention. It has become a common practice to arrange these dissolutions without proceeding according to the steps proposed in the Book.

The Rev. *Dr. Swift*, of Allegheny, Pa., would not object wholly to this proposal, though he would have the terms of it such that it should embrace only minor matters. We ought not to attempt such changes as would materially alter our system.

The Rev. *J. Woodbridge*, of Kentucky, said we might learn some things from the children of this world. Their forms of criminal proceeding certainly seem to be far in advance of ours. He could not understand the argument of Dr. Breckinridge as intended to show that our system was not susceptible of such improvements as would give us the advantage of the processes in civil courts. The case before us this morning is an illustration of the defectiveness of our system. We could not tell whether that was a judicial case or not, nor what were the province and limitations of a committee of investigation. Mr. Woodbridge then suggested a system for carrying on judicial cases, which he thought would be an approximation to what we want.

The Rev. *W. B. McIlvaine*, of Pa., said he was opposed to this whole thing. He feared we were to be carried away by the spirit of change around us. Our Church has prospered under the present system; we get through our business, and are not unduly burdened. Let us go on as we have done. Let well enough alone. He thought we should find in the end that we had made a mistake.

The Rev. *Dr. Thornwell* was opposed to including the Form of Government in the revision. He did not think we were now prepared for that. The Book of Discipline has been discussed in the Church, and we may therefore undertake modifications in it. His own mind is clear that no revision will suffice which does not embrace the principle of Commissions. Yet he apprehended the Church

had not fully discussed that subject, and until it is fully examined, and the mind of the Church settled about it, he did not think we were prepared to attempt amendments. Let us begin with the Book of Discipline; and by the time we have finished that we shall be ready for going further. The doctrine "*festina lente*" is more applicable to Church than to State and common affairs. He thought Dr. Hoge's motion premature.

Dr. Hoge's amendment was put and lost by a large majority.

The question was then put on Dr. Scott's resolution, to appoint a committee to revise the Book of Discipline, and report whether any, and what changes are necessary; which was carried—108 in the affirmative, and 76 in the negative.

The resolution of Dr. Scott was passed in the following language :
 " Resolved, That this Assembly commit the Book of Discipline,—the second book of our Governmental Standards,—to a committee, for revision, to report if any changes are expedient, and if so, what, at the next, or some subsequent General Assembly."

The Assembly then ordered that " the Committee under this resolution consist of nine." The duty of appointing this Committee devolved upon the Moderator of the Assembly, who happened to be the Editor of this Magazine. The selection was important, and there was very little time to make it, as the evening was already well advanced, and the Assembly was about to adjourn *sine die*. The Moderator looked for Divine direction, as well as the circumstances permitted him, as presiding officer. He aimed at satisfying the whole Church; and he thought then, and still thinks, that a better Committee could scarcely have been chosen. The Committee consisted of the Rev. Drs. James H. Thornwell, R. J. Breckinridge, James Hoge, Charles Hodge, E. P. Swift, and A. T. McGill, *ministers* ; and Judge George Sharswood, of Pa., Judge Win. F. Allen, of N. Y., and Judge H. H. Leavitt, of Ohio, *ruling elders*.

On the announcement of this Committee by the Moderator, Dr. Breckinridge declined to serve, on the ground that a Committee, thus constituted, could never meet to accomplish the object. Dr. Thornwell declined to serve as Chairman; and proposed that Dr. Breckinridge be put in his place. The Assembly voted down both of these propositions almost unanimously.

In 1858, Dr. Hoge sent in his resignation, as a member of the Committee, because he had received no notice to attend any meetings. Dr. Breckinridge again expressed the opinion that no revision could be expected from a Committee constituted of members residing at such a distance from each other. It was even suggested that the Committee be discharged, and another appointed. The former Moderator, who had appointed the Committee, being present, then arose and said that the Committee were not *required* to report to the present General Assembly; that the Chairman, and doubtless other members of the Committee, had been examining the subject and maturing their opinions ; that the Chairman had been providentially prevented from calling a meeting at the only season of the year when he could be absent from home, consistently with his duties as Theological Professor ; and that a meeting of the Com-

mittee, to his own certain knowledge, was to be called shortly after the rising of the Assembly. This statement satisfied the Assembly ; and the subject was then dropped.

The Committee on the Revision of the Book of Discipline met at the call of the Chairman, in the City of Philadelphia, on Thursday, August 5th, 1856. All the members were present, except Judge Leavitt, who was detained by professional business, and Judge Allen, who failed to receive notice of the meeting. The Committee continued their laborious sessions until Monday, August 9th, when they finally adjourned. The result of their labours was, shortly after, published; and the Book of Discipline, as amended, will be presented for the consideration of the next General Assembly.

We propose to make some observations upon several points in the revised Book ; to note the differences between the old Book and the new one; and to republish in this Magazine the revised Book complete, so that our subscribers may have the whole subject before them.

Household Thoughts.

MOTHER'S ANCHOR, AND PILOT TOO.

A WRITER has well said, " A babe is a mother's anchor; she cannot go far from her moorings. And yet a true mother never lives so little in the present as when by the side of the cradle. Her thoughts follow the imaged future of her child. That babe is the boldest of pilots, and guides her fearless thoughts down through scenes of coming years."

The babe is an ANCHOR. The mother's affections are stronger than iron cable, to hold her steadfast to her moorings on the sea of maternal life. How she keeps with her child, by day and by night ! Her thoughts, even when absent for a little time, are with the tenant of the cradle, and oftener than the periods of her own nourishment does she fondle to her life-giving breasts the darling nursling. In weariness and watchfulness, in care and sickness, in all the duties of her own life, is she occupied with the life and comfort of her dear babe. Hark, that feeble cry! She is off to the infant. She takes it in her winning arms, or rocks it upon her sleep-giving knee, or caresses it with eloquent lips, and the rising trouble is over ! The approaching storm is hushed, and the anchor holds fast. The new and tender inmate of the house controls mother amidst all the ebbs and flows in the tide of daily concerns ! Oh ye anchors, how ye keep the richly freighted vessels within your reach, and how firmly imbedded are ye far down beneath the currents and under-currents of the stream ! Double-fluked with temporal and spiritual fastenings, ye bind human hopes to your dependence,

