APPENDIX.

REVISED BOOK OF DISCIPLINE.

PREPARED BY THE COMMITTEE OF THE GENERAL ASSEMBLY, AUGUST, 1858.

CHAPTER I.
Discipline, its Nature, Object, and the Persons subject to it.

I. DISCIPLINE is the exercise of that authority, and the application of that system of laws, which the Lord Jesus Christ has appointed in his Church. Its ends are the rebuke of offences, the removal of scandal, the vindication of the honour of Christ, the promotion of the purity and general edification of the Church, and the spiritual good of offenders themselves.

II. An offence, the proper object of discipline, is anything in the faith or practice of a *professed believer* which is contrary to the word of God; the Confession of Faith and the Larger and Shorter Catechisms of the Westminster Assembly, being accepted by the Presbyterian Church in the United States of America as standard expositions of the teachings of Scripture in relation both to faith and practice.

Nothing, therefore, ought to be considered by any judicatory as an offence, or admitted as matter of accusation, which cannot be proved to be such from Scripture, or from the regulations and practice of the Church, founded on Scripture; and which does not involve those evils which discipline is intended to prevent.

III. All baptized persons, being members of the Church, are under its government and training, and when they have arrived at years of discretion, they are bound to perform all the duties of members. Only those, however, who have made a profession of faith in Christ are proper subjects of judicial prosecution.

CHAPTER II.
Of Offences.

I. Offences are either personal or general, private or public.

II. Personal offences are violations of the Divine law considered in the

special relations of wrongs or injuries to particular individuals. General offences are heresies or immoralities, having no such relation, or considered apart from it. All personal offences are, therefore, general; but all general offences are not personal.

III. Private offences are those which are known only to one or a few persons. Public offences are those which are notorious.

CHAPTER III.

Of' the Parties in Cases of Process.

I. In the case of personal offences the injured party can never be a prosecutor without having previously tried the means of reconciliation and of reclaiming the offender required by Christ. Matt. 23: 15, 16. A church court, however, may judicially investigate them as general offences when the interests of religion seem to demand it. Neither in the case of private offences can those to whom they are known become accusers without having previously endeavoured to remove the scandal by private means.

II. General offences may be brought before a judicatory either by an individual or individuals, who appear as accusers, and undertake to substantiate the charge; or by common fame.

III. In cases of prosecution by common fame, the previous steps required by our Lord, in the case of personal offences, are not necessary. There are many cases, however, in which it will better promote the interests of religion to send a committee to converse in a private manner with the offender, and to endeavour to bring him to a sense of his guilt, than to institute actual process.

IV. In order to render an offence proper for the cognizance of a judicatory on the ground of common fame, it must first be determined that a common fame really exists; and no rumour is to be considered as such unless it specify some particular sin or sins, is widely spread, generally believed, and accompanied with strong presumption of truth.

V. It may happen, however, that in consequence of a report which does not fully amount to a general rumour as just described, a slandered individual may request a judicial investigation, which it may be the duty of the judicatory to institute.

VI. In all cases of prosecution on the ground of common fame, the judicatory may appoint one or more individuals, being communicating members of the Church, subject to the jurisdiction of the same court with the accused, to represent common fame.

VII. The original and only parties to a trial are the accuser and the accused; and in cases of prosecution by common fame, common fame, or the person representing it, is the accuser, and has, in all the courts, all the rights of an original party. These parties, in the appellate courts, are known as appellant and appellee.

VIII. Great caution ought to be exercised in receiving accusations from any person who is known to indulge a malignant spirit towards the accused, who is not of good character, who is himself under censure or process, who is deeply interested in any respect in the conviction of the accused, or who is known to be litigious, rash, or highly imprudent.

CHAPTER IV.

Of Actual Process.

I. When a process has been determined on, no more shall be done at the first meeting of the judicatory, unless by consent of parties, than to give the accused a copy of each charge, with the names of the witnesses then known to support it, and to cite 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 and the witnesses at least ten days previously to the meeting of the judicatory. At the second meeting of the judicatory, the accused shall plead in writing to the charges; and if he fail to do so, at the third meeting of the judicatory they shall be taken as confessed, provided he has been duly cited.

II. The citations shall be issued and signed by the Moderator or Clerk, by order and in the name of the judicatory. He shall also issue citations to such witnesses as the accused shall nominate, to appear on his behalf.

III. In exhibiting charges, the times, places, and circumstances should, if possible, be particularly stated, that the accused may have an opportunity to prove an *alibi*, or to extenuate or alleviate his offence.

IV. When an accused person refuses to obey the citation, he shall be cited a second time, and this second citation shall be accompanied with a notice that if he do not appear at the time appointed, he shall be excluded from the communion of the Church for his contumacy until he repent, and that the testimony will be taken and the case adjudicated as if he were present; and if he should not appear, the judicatory shall appoint some person to represent him, and proceed according to the notice. The person representing him, if a member of the court, shall not be allowed to sit in judgment on the case.

V. The time which must elapse between the first citation of an accused person and the meeting of the judicatory at which he is to appear, is at least ten days. But the time allotted for his appearance on the subsequent citation, is left to the discretion of the judicatory; provided always, however, that it be not less than is quite sufficient for a seasonable and convenient compliance with the citation.

VI. Judicatories, before proceeding to trial, ought to ascertain that their citations have been duly served, and especially before they proceed to ultimate measures for contumacy.

VII. The trial shall be 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 cross-examine them, and to ask any questions tending to his own exculpation.

VIII. The accused, if found guilty, shall be admonished or rebuked, or excluded from church privileges, as the case shall appear to deserve, until he give satisfactory evidence of repentance.

IX. The judgment shall be regularly entered on the records of the judicatory, and the parties shall be allowed copies of the whole proceedings, at their own expense, if they demand them; and in case of the removal of the cause to a higher court, the lower judicatory shall send a complete authenticated copy of the whole record to the higher judicatory.

X. The sentence, if it is thought expedient to publish it, shall be published only in the church or churches which have been offended; otherwise, it shall pass only in the court.

XI. 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 and treated as heathen men and publicans, agreeably to our Lord's direction. Matt. 18: 17.

XII. As cases may arise in which many days, or even weeks, may intervene before it is practicable to commence process against an accused church member, the session may, in such cases, if they think the edification of the church requires it, prevent the accused from approaching the Lord's table, until the charges against him can be examined. In case a party accused shall absent or secrete himself, so that process cannot be served on him, the judicatory shall enter on its records that fact, together with the nature of the offences charged, and shall suspend the accused from all church privileges, until he shall appear before the court, and answer to the charges against him.

XIII. No professional counsel shall be permitted to appear and plead in cases of process in any of our ecclesiastical courts; but an accused person may, if he desires it, be represented by any communicating member of the Church, subject to the jurisdiction of the court before which he appears. The person so employed, if a member of court, shall not be allowed, after pleading the cause of the accused, to sit in judgment upon the case.

XIV. Questions of order, which arise in the course, of process, shall be decided by the Moderator. If an appeal is made from the chair, the question on the appeal shall be taken without debate. Decisions on points of order shall always be recorded (if either party shall desire it).

XV. The records of the proceedings, in cases of judicial process, shall exhibit not only the charges, specifications, and sentence of the court, but all the testimony and all the circumstances which had an influence on its judgment; and nothing which is not contained in the record shall be taken into consideration in reviewing the proceedings in a higher court.

CHAPTER V.

Of Process against a Bishop or Minister.

I. As the honour and success of the Gospel depend, in a great measure, on the character of its ministers, each Presbytery ought, with the greatest care and impartiality, to watch over the personal and professional conduct of all its members. But as, on the one hand, no minister ought, on account of his office, to be screened from the hand of justice, nor his offences to be slightly censured; so neither ought scandalous charges to be received against him by any judicatory on slight grounds.

II. Process against a Gospel minister shall always be entered before the Presbytery of which he is a member. And the same candour, caution, and general method, substituting only the Presbytery for the Session, are to be observed in investigating charges against him, as are prescribed in the case of private members.

III. If it be found that the facts with which a minister stands charged, happened without the bounds of his own Presbytery, that Presbytery shall send notice to the Presbytery within whose bounds they did happen; and desire them either (if within convenient distance) to cite the witnesses to appear at the place of trial; or if the distance be so great as to render that inconvenient, 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.

IV. Nevertheless, in case of a minister being supposed to be guilty of 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 have happened, after satisfying themselves that there is probable grounds of accusation, to send notice to the Presbytery of which he is a member, who are to proceed against him, and either send and take the testimony by commissioners appointed by themselves, or request the other Presbytery to take it for them, and transmit the same, properly authenticated.

V. Process against a Gospel minister shall not be commenced unless some person or persons undertake to make out the charge; or unless common fame so loudly proclaims the scandal that the Presbytery find it necessary, for the honour of religion, to investigate the charge. Nevertheless each church court has the inherent power to demand and receive satisfactory explanations from any of its members concerning any matters of evil report.

VI. As the success of the Gospel greatly depends upon the exemplary characters of its ministers, their soundness in the faith, end holy conversation; and as it is the duty of all Christians to be very cautious in taking up an ill report of any man, but especially of a minister of the Gospel; therefore, if any man knows a minister to be guilty of a private, censurable fault, lie should warn him in private. But if the guilty person persist in his fault, or it becomes public, he who knows it should apply to some other bishop of the Presbytery for his advice in the case.

VII. The prosecutor of a minister should be previously warned that if he fail to show probable cause of 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.

VIII. 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 then known; 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.

IX. At the next meeting of the Presbytery the charges shall be read to him, and he shall be called upon to say whether he is guilty or not. If he confess, the Presbytery shall deal with him according to their discretion; if he plead and take issue, the trial shall proceed. If found guilty, he shall be admonished, rebuked, suspended from the ministry, deposed, with or without deprivation of church privileges, or excommunicated, as the Presbytery shall deem fit.

X. If a minister accused of atrocious crimes, being twice duly cited, shall refuse to attend the Presbytery, he shall be immediately suspended. And if, after another citation, he still refuse to attend, he shall be deposed as contumacious, end suspended or excommunicated from the Church.

XI. 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 injury.

XII. 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 that little or nothing remains to hinder his usefulness, they shall take all prudent measures to remove the offence.

XIII. A minister deposed for scandalous conduct shall not be restored even on the deepest sorrow for his sin, until after some time of eminent and exemplary, humble and edifying conversation, to heal the wound made by his scandal. And he ought in no case to be restored, until it shall appear that the sentiments of the religious public are strongly in his favour, and demand his restoration.

XIV. As soon as a minister is deposed, his congregation shall be declared vacant; but when he is suspended it shall be left to the discretion of the Presbytery whether his congregation shall be declared vacant.

CHAPTER VI.

Of Cases without Process.

I. There may be cases in which the guilt of an individual is conspicuous or manifest, his offence having been committed in the presence of the court, or in which a trial is rendered unnecessary by the confession of the party; in such cases judgment may be rendered without process.

II. There being in these cases no accuser, should the sentence be appealed from, some communicating member of the Church, subject to the jurisdiction of the same court with the appellant, shall be appointed to defend the sentence, and shall be the appellee in the case.

III. In cases in which a communicating member of the Church shall state in open court that he is persuaded in conscience that he is not converted, and has no right to come to the Lord's table, and desires to withdraw from the communion of the Church; if he has committed no offence which requires process, his name shall be stricken from the roll of communicants, and the fact, if deemed expedient, published in the congregation of which he is a member.

CHAPTER VII.

Of Witnesses.

I. Judicatories ought to be very careful and impartial in receiving testimony. All persons are not *competent* as witnesses, and all who are compotent are not *credible.*

II. All persons, whether parties or otherwise, are *competent* witnesses, except such as do not believe in the existence of God, or a future state of rewards and punishments. Either party has a right to challenge a witness whom he believes to be incompetent, and the court shall examine and decide upon his competency.

III. The *credibility* of a witness, or the degree of credit due to his testimony, may be affected by relationship to any of the parties; by interest in the result of the trial; by want of proper age; by weakness of understanding; by infamy of character; by being under Church censure; by general rashness, indiscretion, or malignity of character; and by whatever circumstances appear to the judicatory to affect his veracity, his knowledge or his interest, in the case on trial.

IV. A husband or wife shall not be compelled to bear testimony against each other in any judicatory.

V. The testimony of more than one witness is necessary in order to establish any charge; yet if several credible witnesses bear testimony to different similar acts, or to confirmatory circumstances, belonging to the same general charge, the crime shall be considered as proved.

VI. No witness, afterward to be examined, except a member of the judicatory, shall be present during the examination of another witness on the same case, unless by content of parties.

VII. To prevent confusion, witnesses shall be examined first by the party introducing them; then cross-examined by the opposite party; after which any member of the judicatory, or either party, may put additional interrogatories. But no question shall be put or answered, except by permission of the Moderator; and the court shall not permit frivolous questions, or questions irrelevant to the charge at issue.

VIII. The oath or affirmation to a witness, shall be administered by the Moderator, in the following or like terms: "You solemnly promise, in the presence of the omniscient and heart-searching God, that you will declare the truth, the whole truth, and nothing but the truth, according to the best of your knowledge, in the matter in which you are called to witness, at you shall answer it to the great Judge of quick and dead." If, however, at any time a witness should present himself before a judicatory, who, for conscientious reasons, prefers to swear or affirm in any other manner, he shall be allowed to do so.

IX. Every question put to a witness shall, if required, be reduced to writing. When answered, it shall, together with the answer, be recorded, if deemed by either party of sufficient importance.

X. The records of a judicatory, or any part of them, whether original or transcribed, if regularly authenticated by the Moderator and Clerk, or either of them, shall be deemed good and sufficient evidence in every other judicatory.

XI. In like manner, testimony taken by one judicatory, and regularly certified, shall be received by every other judicatory as no less valid than if it had been taken by themselves.

XII. Cases may arise in which it is not convenient for a judicatory to have the whole, or, perhaps, any part of the testimony in a particular cause, taken in their presence. In this case, commissioners shall be appointed to take the testimony in question, which shall be considered as if taken in the presence of the judicatory; of which commission, and of the time and place of their meeting, due notice shall be given to the opposite party, that he may have an opportunity of attending. And if the accused shall desire on his part to take testimony at a distance, for his own exculpation, he shall give notice to the judicatory of the time and place when it is proposed to take it, that a commission, as in the former case, may be appointed for the purpose.

XIII. When the witnesses shall have been examined, the parties shall then be heard to any reasonable extent.

XIV. A member of the judicatory may be called upon to bear testimony in a case which comes before it. He shall be qualified as other witnesses are; and, after having given his testimony, he may immediately resume his seat as a member of the judicatory.

XV. A member of the church summoned as a witness, and refusing to appear, or, having appeared, refusing to give testimony, may be censured for contumacy, according to the circumstances of the case.

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

XVII. If, in the prosecution of an appeal, new testimony is offered, which in the judgment of the appellate court, has an important bearing on the case, it shall be competent in the court to refer the cause to the inferior judicatory for a new trial; or, with the consent of parties, to take the testimony and issue the case.

CHAPTER VIII.

Of the various ways in which a Case may be carried from a lower to a higher Judicatory.

I. In all governments conducted by men, wrong may be done from ignorance, from prejudice, from malice, or from other causes. To prevent the continued existence of this wrong, is one great design of superior judicatories. And although there must be a last resort, beyond which there is no appeal, yet the security against permanent wrong will be as great as the nature of the case admits, when those who had no concern in the origin of the proceedings, are brought to review them, and to *annul* or *confirm* them, as they see cause; when a greater number of counsellors are made to sanction the judgments, or to correct the errors of a smaller; and, finally, when the whole Church is called to sit in judgment on the acts of a part.

II. Every kind of decision which is formed in any church judicatory, except the highest, is subject to the review of a superior judicatory, and may be carried before it in one or the other of the four following ways, to wit: general review and control, reference, appeals, or complaints.

III. When a matter is transferred in any of these ways from an inferior to a superior judicatory, the inferior judicatory shall, in no case, be considered a party; nor shall its members lose their right to sit, deliberate, and vote in the higher courts.

SECTION I.

General Review and Control.

I. It is the duty of every judicatory above a church session, at least once a year, to review the records of the proceedings of the judicatory next below. And if any lower judicatory shall omit to send up its records for this purpose, the higher may issue an order to produce them, either immediately, or at a particular time, as circumstances may require.

II. In reviewing the records of an inferior judicatory, it is proper to examine, First, Whether the proceedings have been constitutional and regular: Secondly, Whether they have been wise, equitable, and for the edification of the Church: Thirdly, Whether they have been correctly recorded.

III. In most cases, the superior judicatory may be considered as fulfilling its duty, by simply recording, on its own minutes, the animadversion or censure which it may think proper to pass on records under review; and also by making an entry of the same in the book reviewed. But it may be that, in the course of review, cases of irregular proceedings may be found so disreputable and injurious as to demand the interference of

the superior judicatory. In cases of this kind the inferior judicatory may be required to review and correct its proceedings.

IV. No judicial decision, however, of a judicatory shall be reversed, unless it be regularly brought up by appeal or complaint.

V. Judicatories may sometimes entirely neglect to perform their duty, by which neglect heretical opinions or corrupt practices may be allowed to gain ground; or offenders of a very gross character may be suffered to escape; or some circumstances in their proceedings of very great irregularity, may not be distinctly recorded by them. In any of which cases, their records will by no means exhibit to the superior judicatory a full view of their proceedings. If, therefore, the superior judicatory be well advised, by *common fame*, that such neglects or irregularities have occurred on the part of the inferior judicatory, it is incumbent on them to take cognizance of the same; and to examine, deliberate, and judge in the whole matter, as completely as if it had been recorded, and thus brought up by the review of the records.

VI. When any important delinquency, or grossly unconstitutional proceeding, appears in the records of any judicatory, or is charged against them by *common fame*, or by a memorial, with or without protest, the first step to be taken by the judicatory next above, if it is thought expedient to proceed at all, is to cite the judicatory alleged to have offended, to appear at a specified time and place, and to show what it has done, or failed to do in the case in question: after which the judicatory thus issuing the citation shall remit the whole matter to the delinquent judicatory, with a direction to take it up, and dispose of it in a constitutional manner or stay all further proceeding in the case, as circumstances may require.

SECTION II.

Of References.

I. A reference is a judicial representation, made by an inferior judicatory to a superior, of a matter not yet decided; which representation ought always to be in writing.

II. Cases which are new, important, difficult, of peculiar delicacy, the decision of which may establish principles or precedents of extensive influence, on which the sentiments of the inferior judicatory are greatly divided, or on which, for any reason, it is highly desirable that a larger body should first decide, are proper subjects of reference.

III. References are either for mere advice, preparatory to a decision by the inferior judicatory, or for ultimate trial and decision by the superior.

IV. In the former case, the reference only *suspends* the decision of the judicatory from which it comes; in the latter case, it totally relinquishes the decision, and submits the whole cause to the final judgment of the superior judicatory.

V. Although references may in some cases, as before stated, be highly proper; yet it is, generally speaking, more conducive to the public good, that each judicatory should fulfil its duty by exercising its judgment.

VI. Although a reference ought, generally, to procure advice from the superior judicatory; yet that judicatory is not necessarily bound to give a final judgment in the case, even if requested to do so; but may remit

the whole cause, either with or without advice, back to the judicatory by which it was referred.

VII. References are generally to be earned to the judicatory immediately superior.

VIII. In eases of reference, the judicatory referring ought to have all the testimony, and other documents, duly prepared, produced, and in perfect readiness; so that the superior judicatory may be able to consider and issue the case with as little difficulty or delay as possible.

SECTION III.

Of Appeals.

I. An appeal is the removal of a ease, already decided, from an inferior to a superior judicatory, the peculiar effect of which is to arrest all proceedings under the decision, until the matter is finally decided in the last court. It is allowable in two classes of cases: 1st. In all judicial cases, by the party to the cause against whom the decision is made. 2d. In all other cases, when the action or decision of the judicatory has inflicted an injury or wrong upon any party or persons, he or they may appeal; and when said decision or action, though not inflicting any personal injury or wrong, may, nevertheless, inflict directly, or by its consequences, great general injury, any minority of the judicatory may appeal.

II. In cases of judicial process, those who have not submitted to a regular trial are not entitled to appeal.

III. Any irregularity in the proceedings of the inferior judicatory; a refusal of reasonable indulgence to a party on trial; declining to receive important testimony; hurrying to a decision before the testimony is fully taken; a manifestation of prejudice in the case; and mistake or injustice in the decision,—are all proper grounds of appeal.

IV. Every appellant is bound to give notice of his intention to appeal, and also to lay the reasons thereof, in writing, before the judicatory appealed from, either before its rising, or within ten days thereafter. If this notice, or these reasons, be not given to the judicatory while in session, they shall be lodged with the Moderator or Stated Clerk.

V. Appeals are generally to be carried in regular gradation, from an inferior judicatory to the one immediately superior.

VI. The appellant shall lodge his appeal, and the reasons of it, with the clerk of the higher judicatory, before the close of the second day of their session: and the appearance of the appellant and appellee shall be either personally or in writing.

VII. In taking up an appeal in judicial cases, after ascertaining that the appellant, on his part, has conducted it regularly, the first step shall be to read all the records in the case from the beginning; the second, to hear the parties, first the appellant, then the appellee; thirdly, the roll shall be called, and the final vote taken. In all appeals in cases not judicial, the order of proceeding shall be the same as in cases of complaints, substituting appellant for complainant.

VIII. The parties denominated appellant and appellee are the accuser and accused who commence the process. The appellant, whether originally accuser or accused, is the party that makes the appeal; the appellee whether originally accuser or accused, is the party to whom the decision appealed from has been favourable.

IX. The decision may be either to confirm or reverse, in whole or in part, the decision of the inferior judicatory; or to remit the cause, for the purpose of amending the record, should it appear to be incorrect or defective; or for a new trial.

X. If an appellant, after entering his appeal to a superior judicatory, fail to prosecute it, it shall be considered as abandoned, and the sentence appealed from shall be final. And an appellant shall be considered as abandoning his appeal, if he do not appear before the judicatory appealed to, on the first or second day of its meeting, next ensuing the date of his notice of appeal; except in cases in which the appellant can make it appear that he was prevented from seasonably prosecuting his appeal by the providence of God.

XI. If an appellant is found to manifest a litigious or other unchristian spirit, in the prosecution of his appeal, he shall be censured according to the degree of his offence.

XII. The necessary operation of an appeal is, to suspend all further proceedings on the ground of the sentence appealed from. But if a sentence of suspension or excommunication from church privileges, or of deposition from office, be the sentence appealed from, it shall be considered as in force until the appeal shall be issued.

XIII. It shall always be deemed the duty of the judicatory whose judgment is appealed from, to send authentic copies of all their records, and of the whole testimony relating to the matter of appeal. And if any judicatory shall neglect its duty in this respect, especially if thereby an appellant, who has conducted with regularity on his part, is deprived of the privilege of having his appeal seasonably issued, such judicatory shall be censured according to the circumstances of the case; and the sentence appealed from shall be suspended until a record is produced upon which the issue can be fairly tried.

XIV. In judicial cases an appeal shall in no case be entered except by one of the original parties.

SECTION IV.

Of Complaints.

I. Another method by which a cause which has been decided by an inferior judicatory may be carried before a superior, is by complaint.

II. A complaint is a representation made to a superior by any member or members of a minority of an inferior judicatory, or by any other person or persons, respecting a decision by an inferior judicatory, which, in the opinion of the complainants, has been irregularly or unjustly made.

III. The cases in which complaints are proper and advisable, are all those cases of grievance, whether judicial or not, in which the party aggrieved has declined to appeal; and all other cases in which the party complaining is persuaded that the purity of the Church, or the interests of truth and righteousness, are injuriously affected by the decision complained of.

IV. Notice of a complaint shall always be given before the rising of the judicatory, or within ten days thereafter, as in case of appeal.

V. In taking up a complaint, after ascertaining that the complainant has conducted it regularly, the first step shall be to read all the records

in the case; the second to hear the complainant; and then the court shall proceed to consider and decide the case.

VI. The effect of a complaint, if sustained, may be to reverse the decision complained of, in whole or in part, and to place matters in the same situation in which they were before the decision was made.

VII. In judicial cases a complaint shall be admitted only where an aggrieved party has declined to appeal, and in such cases an aggrieved party shall not be allowed to complain.

CHAPTER IX.

Of Dissents and Protests.

I. A dissent is a declaration on the part of one or more members of a minority, in a judicatory, expressing a different opinion from that of a minority in a particular case. A dissent, unaccompanied with reasons, is always entered on the records of the judicatory.

II. A protest is a more solemn and formal declaration, made by members of a minority as before mentioned, bearing their testimony against what they deem a mischievous or erroneous judgment; and is generally accompanied with a detail of the reasons on which it is founded.

III. If a protest or dissent be couched in decent and respectful language, and contains no offensive reflections or insinuations against the majority of the judicatory, those who offer it have a right to have it recorded on the minutes.

IV. A dissent or protest may be accompanied with a complaint to a superior judicatory, or not, at the pleasure of those who offer it. If not thus accompanied, it is simply left to speak for itself, when the records containing it come to be reviewed by the superior judicatory.

V. It may sometimes happen that a protest, though not infringing the rules of decorum, either in its language or matter, may impute to the judicatory, whose judgment it opposes, some principles or reasonings which it never adopted. In this case the majority of the judicatory may with propriety appoint a committee to draw up an answer to the protest, which, after being adopted as the act of the judicatory, ought to be inserted on the records.

VI. When, in such a case, the answer of the majority is brought in, those who entered their protest may be of opinion that fidelity to their cause calls upon them to make a reply to the answer. This, however, ought by no means to be admitted; as the majority might, of course, rejoin, and litigation might be perpetuated, to the great inconvenience and disgrace of the judicatory.

VII. When, however, those who have protested, consider the answer of the majority as imputing to them opinions or conduct which they disavow, the proper course is, to ask leave to take back their protest, and modify it in such a manner as to render it more agreeable to their views. This alteration may lead to a corresponding alteration in the answer of the majority; with which the whole affair ought to terminate.

VIII. None can join in a protest against a decision of any judicatory, except those who had a right to vote in said decision.

CHAPTER X.

Jurisdiction.

I. When a member shall be dismissed from one church, with a view to his joining another, if he commit an offence previous to his joining the latter, he shall be considered as under the jurisdiction of the church which dismissed him, and amenable to it, up to the time when he actually becomes connected with that to which he was dismissed and recommended.

II. The same principle applies to a minister, who is always to be considered as remaining under the jurisdiction of the Presbytery which dismissed him, until he actually becomes a member of another.

III. If, however, either a minister or a private member shall be charged with a crime which appears to have been committed during the interval between the date of his admission and his actually joining the new body, but which did not cone to light until after he had joined the new body, that body shall be empowered and bound to conduct the process against him.

IV. No Presbytery shall dismiss a minister, or licentiate, or candidate for licensure, without specifying the particular Presbytery or other ecclesiastical body with which he is to be connected.

CHAPTER XI.

Limitation. of Time.

I. When any member shall remove from one congregation to another, he shall produce satisfactory testimonials of his church membership and dismission, before he be admitted as a regular member of that church; unless the church to which he removes has other satisfactory means of information.

II. No certificate of church membership shall be considered as valid testimony of the good standing of the bearer, if it be more than one year old, except where there has been no opportunity of presenting it to a church.

III. When persons remove to a distance, and neglect, for a considerable time, to apply for testimonials of dismission, and good standing, the testimonials given them shall testify to their character only up to the time of their removal, unless the judicatory have good information of a more recent date.

IV. If a church member has been more than two years absent from the place of his ordinary residence and ecclesiastical connections, if he apply for a certificate of membership, his absence, and the ignorance of the church respecting his demeanour for that time, shall be distinctly stated in the certificate.

V. Process, in case of scandal, shall commence within the space of one ear after the crime shall have been committed; unless it shall have recently become flagrant. It may happen, however, that a church member, after removing to a place far distant from his former residence, and where his connection with the church is unknown, may commit a crime, on account of which process cannot be instituted within the time above specified. In all such cases, the recent discovery of the church membership of the individual, shall be considered as equivalent to the crime itself having recently become flagrant. The same principle also applies to ministers, if similar circumstances should occur.

INDEX OF SUBJECTS DISCUSSED.

The Committee of Revision.

Whereas, The last General Assembly directed an overture to be transmitted to the Presbyteries, in these words: 1. Do you desire a Revision of the Confession of Faith? 2. If so, in what respects?

And, Whereas, It appears from the report of the Special Committee appointed to canvass the answers of the Presbyteries to said overture, that not less than 134 Presbyteries have answered yes to the first question; therefore,

1. *Resolved,* That a committee be appointed to consider what alterations or amendments should be made to the Confession of Faith which shall not impair the integrity of our system of doctrine.

2. That it shall be the duty of this committee to consider the suggestions contained in the answers of the Presbyteries, and to formulate and report to the Assembly of 1891, overtures of alteration or amendment to the Confession of Faith for the approval of the Assembly and transmission to the Presbyteries for their action.

3. *Resolved,* That this committee shall consist of fifteen ministers and six elders.

4. That the mode of procedure shall be the following: the Moderator shall appoint a nominating committee of one member from each Synod represented in this Assembly. In addition, the Moderator of the Assembly shall be a member of the committee and the chairman of the same. The committee