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FRIDAY, AUGUST 14, 1874.

Ministers and Churches.

At a Congregational Meeting of the Orillia Presbyterian Church on the 8th inst. the Remit on Union was unanimously adopted.

The congregation of Sombra, Presbytery of Chatham, have addressed a call to the Rev. Peter Nichol.

The Committee of the Presbyterian Church, Smith's Falls, have ordered a 1,000 lbs. bell for their new tower, from the celebrated bell-makers, Meenely & Kimberly, Troy, N.Y., and it is expected to be ready by the 1st of September.

The congregation of St. Andrew's Church, Belleville, have granted their esteemed pastor leave of absence, and generously donated him at the same time \$100 to enable him to seek relaxation and recreation for the benefit of his health.

Rev. Mr. Goldsmith, pastor of the Canada Presbyterian Church, Seaford, left on the 6th inst. for Detroit. The reverend gentleman will occupy the pulpit of the Scottish Presbyterian Church, Detroit, for the next two Sabbaths, supplying the place of Rev. Mr. Mulligan, the pastor, who has gone off for his summer holidays.

The congregation of St. Andrew's Church presented the Rev. Mr. Bonnet with a well filled purse, to enable him to pleasantly spend his holidays—which he is now doing in the province of Quebec. The money was collected by Mr. John Crawford, and the presentation was made by Mrs. Wylie.

The Presbytery of Chatham met at Amherstburg on Tuesday, the 4th inst., for the purpose of inducting the Rev. F. W. Smith into the pastoral charge of the congregation there. Divine service was conducted by the Rev. John Gray, of Windsor, who chose as his text, Exodus xxxiii. 15: "If Thy presence go not with me, carry us not up hence"; after which Mr. Smith was formally inducted. The Rev. Mr. King, of Buxton, having suitably addressed the pastor, and the Rev. John Becket, of Thamesville, the people, Mr. Smith was conducted to the door and introduced to the congregation, and afterwards to the members of Session, by Mr. Gray, retiring Moderator.

HOURS WITH A CHURCH COURT

II.—EARLY DAY.

But pleasing though such reflections be, in accordance somewhat with the adage, "The noblest study of mankind is man," yet our thoughts are speedily recalled to what is going on, as fraught with sacred interest, in its many fruitful revelations of Church life and its many sided activities. Besides, we are not permitted to forget that the instrument is nothing by, and of, and in itself, however great its excellence, however bright the lustre of its gifts may chance to be. O altar of humanity, it is not for us to worship at thy shrine! Thy honour is but a myth, unless as it is the honour of another and a greater. The worker is something in a sense, and nothing in a sense; but our chief concern is with what he does, and how he does it.

Well, then, as we turn to what is being done, a constitutional point presents itself among the first of things, engrossing the attention of the Court, as needing to be settled and set at rest, in the very outset of proceedings. Those constitutional points are very knotty points to solve at times, and not unfrequently a good share of patience needs to be called into requisition before

this solution is arrived at. On that account some very worthy men are more or less averse to their discussion; their idea being that if the spirit of the Constitution is honoured, there is nothing gained by being particular about the letter of it. Our aversion in this direction has been greatly lessened in comparison to what it was prior to any experience of ours in such affairs, and we own to a certain admiration for men who are well versed in the Constitution, and faithfully stand up for its integrity. If a law is framed, or regulation made, that is found to be a hindrance rather than a help, is it not best to abolish it at once, and put another in its place—more, in harmony with the higher law, which is divine? That must ever be most helpful which is most in harmony with the law of love and the law of justice. Such thoughts as these will press upon us when those constitutional points arise, and have to be disposed of in some way or other that is satisfactory. We do not, therefore, feel disposed to turn a listless or unwilling ear to the case in hand, to which reference has been made, as otherwise might have been.

The point before the Court is the competence or incompetence of a certain change proposed in one or more Commissions from the West. In the report of the Committee on Commissions, the change, as proposed by the Presbyteries concerned in the matter, is recommended for the sanction of the house, but is objected to by some as not in keeping with the Constitution, as it at present stands. The law, as previously adopted, requires that all appointments of commissioners be made at least thirty days before the meeting of the Court; but here changes were made, arising from certain circumstances precluding the attendance of the commissioners at first appointed, at a date subsequent to this; it was therefore in collision with at least the letter of the Constitution; and here we have the ground of the objections raised against it. All acknowledge this; but all do not think that at the same time there is anything in the spirit of the Constitution to prevent the change proposed, and here we have the ground of the recommendation of the change. It seems a very simple matter this, and hardly worth waiting to discuss; so we are prone to feel as to many questions of the kind. And yet there is something in it after all, when we remember that all the powers of an Assembly such as this are delegated powers. Soon, however, we begin to wish the question set at rest, and feel relieved when a learned professor gets up and puts a motion to the house, which meets with a general approbation—the change to be sanctioned notwithstanding irregularity, and a committee to be appointed to see to the modifying of the Act in connection with the appointments. Sound this constitutional interchange of thought, and though the theme be dry enough in itself, as all legal matters are, yet we feel inclined to the conviction that the airing of such a thing, at fitting times, has a certain wholesome influence attending it. It is a preventative of confusion; it conduces to the cultivation of method in Church affairs; it even fosters self-respect. Above all things, it draws fresh attention to the Divine injunction, "Let all things be done decently and in order."

Here we almost feel inclined to halt a little, and, to use a nautical expression, "rest upon our oars", until what is reckoned the great business of the Assembly has been reached, such as Home and Foreign Mission, the Union question, and the reception and hearing delegations from other churches. Only a statistical report stands between us and the first of these; and I had it is indeed to gather much from the reading of a statistical report, however valuable it is as food for thought, when it once has found its way into print, and there is time to examine closely its contents. About as much as may be gathered from the public reading of a Latin homily or exegesis in the case of any one whose knowledge of the language is not minute enough to enable him to read it from a book at sight with perfect ease. As, however, second thoughts are frequently the best, second thoughts incline us to another course, and each prevail, bringing us to bend our energies of mind to figures for a time, and letting them have their full influence upon us, if haply we may carry away from them some good impressions. As to the report in hand, we venture to affirm that out of many we have never heard a better; and so, when once fairly launched upon it, we do not find it so uninteresting as might have been anticipated, judging from the general character of papers of the kind. There being much in little space, we get time to think upon the significance of the facts which it reveals. At a glance we learn that the church's movements have been progressive, so far as any rate as this is indicated by an increasing number, augmentation of church funds, more extensive appliances, and greater comforts in the work. Nor is this merely external in its bearing—no merely formal or outward thing is it, as may happen easily enough while churches are increasing in their number and their wealth; but happily as we learn from other sources, the spirit and

power of true religion in the land appear to be to some extent at least keeping with it. Older churches becoming stronger. New churches rising up, where now existed before. New Presbyteries created. New mission field undertaken with some success. More Sabbath Schools, and a stronger board of teachers to carry them on. Congregational an Sabbath School libraries greatly increasing. Comfortable manse spreading in all directions. Greater liberality among the people. God's blessing enjoyed in the midst of all. There is much that is suggestive in such facts as these. As we ponder over them our mind is carried back along the course of many years, and we think for a moment of the early planting of the church, when the first brave pioneers landed on these shores, and commenced the work in earnest among the early settlers, who were seeking to make themselves a home among the solitary wilds of the primeval forest. What a contrast here! This church of noble descent, endeared to us by many glorious memories of other days and other lands, now grown to such large proportions here, was then in this youthful country as a grain of mustard seed, and that by no means always planted in the richest soil. And how much it cost the planters to commit it to the soil at all! Along almost impassible roads or in shaly boats by lake or river had they to travel—in perils often, often worn and weary with no lounge to rest their weary limbs upon, not faring sumptuously every day. A barn often had to content them as their meeting-house. A log shanty was their home at night, and this the greatest comfort often that they could procure. If there was a bright spot in the scene at all, it was just in such a humble place; for there the minister as a common thing would find a kindly welcome, with warm hearts and ready hands to minister to his wants, and make him feel at home. What a change is presented now. Comfortable churches almost everywhere; comfortable houses almost everywhere; busy workers everywhere. A fruitful field, instead of a wilderness. Even in the newer settlements, the alterations is great; how much more so in the older ones; reaping now the fruits of the labours and the hardships then endured, while the seed was being sown. Theirs be the greater honour for their work's sake. Long may their memory grow green in many homes that are now blessed, as the result of their self-sacrificing efforts in the good cause. But we cannot turn from such thoughts as these without feeling humbled in a measure that the Church is not making far more self-denying efforts than it is. The statistics, as we find them, should only stimulate our zeal and prayers that we may see greater things than these.

MEMORIA.

LETTER FROM STADACONA.

THE CONSTITUTIONAL QUESTION—SIR H. WELLWOOD MONCRIEFF'S OPINION.

MR. EDITOR,—In a former letter, I called attention to the unconstitutional course taken by the General Assembly, in holding an adjourned meeting to consider the returns to its own remit; and from the way in which that letter was received, I not only find that I must write again, but that I must write for two classes. Of the existence of the first—composed of those who might be better informed on ecclesiastical law. I know by a letter which appeared in your paper from D. D. M., of the existence of the second—composed, I believe, of men who understand church law thoroughly well, but who have grown careless in the matter—I know by the general indifference. No Presbytery, so far as I have observed, has noticed the Assembly's mistake, none of the older ministers have thought worth while to say a word about it in the papers; and no one seems even to take the trouble to speak of it to his neighbour. This indifference is greatly to be deplored. Once it was not so. There were men who thought enough of our constitutional safeguards to raise their voices when any attempt was made to set them aside, and we have as a result of their watchful care, the most perfect system of Church Government possessed by any ecclesiastical body—the most perfect, both for the light-headed, thoughtless creature who sneers at it as "red tape," as well as for the grave divine, who understands its value.

Under these circumstances, I deem it my duty to attempt once more to turn the attention of the Church to this matter; and in doing so, I shall begin by explaining some things of rather an elementary character for the benefit of such as D. D. M. represents, if indeed he represents any.

The three permanent courts of Presbyterianism are, in ascending order, the Session, the Presbytery, and the Synod. But when the Church becomes very large, and the members of Synod very numerous, the court is too large and unwieldy to do business with facility. What now is to be done? Will it do to send a large proportion of the members away to their homes and congregations, declaring that they shall have no

say in the regulation of the affairs of the Church? Assuredly not, for the members of the Synod have equal rights, and each one has just as good a right as his neighbour to the position of legislator. Some arrangement must then be made which will leave each one in the enjoyment of his rights and privileges, and at the same time reduce the number of members in the Supreme Court of the Church. And a very happy way of accomplishing this end has been devised. The Synod has agreed that, for a certain time, a definite proportion of its members shall do the work of legislation, with the understanding that, at the end of that time, they give place to other members of the Synod appointed in the same way, and so on from time to time so that every member of the Synod may have his due share in the work of legislation. The agreement which our Synod came to was this:—That one third of its members elected, and commissioned by the Presbyteries, should constitute the General Assembly, or Supreme Court of the Church for one year, i.e., for the work of one year; for the Assembly itself does not exist until it is constituted, and ceases to exist as soon as it is dissolved by the Moderator.

Now, according to the principles of common sense and justice, it must appear very plain to every one that, a General Assembly which undertakes to perform more than the work of one year, is guilty of a usurpation of power. It takes upon itself to do that which of right belongs to another portion of the elders of the Church and so violates the original compact by which the General Assembly was called into existence. And Mr. D. D. M. permit me to tell you that when it does anything of the kind, it does an unconstitutional thing, for I suspect from the self-complacency with which you sit down to wait until I shall tell what part of the constitution has been violated, when you had it pointed out to you in my former letter, as clearly as words could do it, that you do not know what is meant by the constitution.

Now, we maintain that the General Assembly of this year did thus violate the constitution. For when did its year begin? Of course when the year of its predecessor ended, and that was in June '73; for, says Moncrieff, "The General Assembly differs from the inferior Church Courts in the circumstance that, as a body, it has no permanent existence. * * * * * But, immediately after the breaking up of one constitutional meeting of the General Assembly, at the conclusion of its immediate successive diets, except when it has specially adjourned to meet at another time, for the more complete discharge of duties belonging to it, which have not yet been overtaken. No General Assembly continues to exist until another has been elected by the free choice of the Presbyteries." The Assembly of 1873 ceased to exist in June 1873 and at the same time a new year began which ended in June 1874. All the work which the Church had for an Assembly to do from June 1873 to June 1874 was then the legitimate work of the present Assembly. Moreover, if from some emergency such as the breaking out of pestilence, an attack by a hostile army, or some such calamity, (for these are the only kind of things which we can conceive of, which should necessitate an adjournment), the Assembly be unable to finish the work of that year, it may adjourn to meet again to finish it; but it cannot take up any piece of business which has evolved in the next ecclesiastical year, which commenced at the time it would have been dissolved, had it not adjourned: as Moncrieff says, all it takes up must be "duties belonging to it," i.e., belonging to the work of its own ecclesiastical year. Now can anything be clearer than this, that the returns to the Remit on Union do not belong to the ecclesiastical year of the present Assembly; hence when it adjourned to get possession of them, that it might adjudicate on them, it took an unconstitutional course; it prepared itself to seize upon the work of its successor, to override the Barrier Act, and to violate the Constitution.

In the light of what has been said, let us now examine some of the statements of D. D. M.

1. "The commissions of Presbyteries chiefly certify to the bona fide character of the representative, and while appointing time to 'consult, vote and determine in all matters that come before them in the glory of God and the good of His Church,' do not and cannot limit or specify the work the Assembly may be called on to do."

My dear Sir, I did not say that the commission contained a list of all matters to come before the Assembly; it would serve no purpose if it did. But constitutional usage and the law of the Church determine the scope of the Assembly's work, and the commission in telling the delegate in what Assembly he is to vote, that it is at all of its diets that he is to vote, and not at those of any other Assembly, it seems to me, very effectually limits the duties of the commissioner. Upon what a slender foundation some writers will pronounce their opponents guilty of "simple absurdity."

2. "It may call on Presbyteries for as much work as it sees proper." Which amounts to this:—When once the Presbyteries have elected one third or some definite proportion of their number to do the work of legislation for a time; that proportion, whatever it may be, can hold their position as rulers forever, and keep the remainder of their brethren, who have as good a right to legislate as they, forever in the position of the ruled.

3. "I would humbly venture to tell Stadacona," &c. I have not a doubt of your venturing. But you evade my question.

4. "The Assembly is the interpreter of her own constitution, and not any lawyers outside of her nor any individuals among her members."

This at once gives to the Assembly that Divine Right formerly claimed by our kings. We were under the impression that any and every representative body was amenable to the public opinion of the electors; and that public opinion was created by individuals making themselves heard through the press. But it seems the General Assembly is an exception. No matter

what outrage it may perpetrate, who shall dare to question the Right Divine? No one "outside of herself." And no individual member must dare to do it. Please tell us how the Moderator's attention is to be called to it; and also, if the Assembly should sanction the outrage, if there is no redress—nothing to do but to submit to the infallible decree.

5. "It simply took the most obvious rational steps to complete a work," &c.

First, we cannot see that there was any special need of a meeting in November at all; secondly, if there were, it would be just as easy for a new Assembly to meet as for the old one. Now, since the course taken clearly involves a breach of the Constitution, we cannot think that it is the most obvious and rational one.

6. "In the opinion and judgment of many as competent to judge as Stadacona," &c.

Yes, they may be even more competent to judge than Stadacona, and still in this particular instance, he may be right, and they may be wrong. Look not to the men, but to what they bring forward. I do not ask any one to take my *ipse dixit* in the matter. I have given a reason for what I maintain; I have also quoted the law proving the same; and now I shall bring forward the highest authority of our day—perhaps the highest of any day—on the subject. Immediately after despatching my first letter to the Presbyteries, I wrote to Sir H. Wellwood Moncrieff, laying this particular fully and clearly before him, and at the same time, asking his opinion on it. About a week ago I received his answer, which I here give, and allow it to speak for itself.

8 Bruntsfield Terrace, Edinburgh, 14th July, 1874.

Rev. and Dear Sir,—My answer to yours of the 16th June is as follows:

1. When a General Assembly, July elected, finds that the returns from Presbyteries to an Overture sent down by the last Assembly in terms of the Barrier Act stand in the position you speak of, the Assembly are not obliged to go to the vote on the question so as either to refuse or agree absolutely to pass it into law. But they legitimately make changes upon it, and send it down again as altered. But

2. I think that if sent down again, it cannot be passed into a law till after the election of a new General Assembly; and that so to pass it at an adjourned meeting of the same Assembly is unconstitutional. For the very meaning of the Barrier Act is to interpose obstacles to hasty legislation, and one of those obstacles I conceive to be the necessity of a new election of members of Assembly before the final passing of an act, which has been proposed by one Assembly. And the sending down of an altered Overture is held to be in this respect the same thing as the sending down of a new Overture.

Believe me, Yours truly, H. WELLWOOD MONCRIEFF.

The Rev. ——— What is to be done? Well, whatever is to be, there are certain things which we can scarcely believe there will be done. We have great confidence in the present General Assembly—it contains some of the ablest and wisest men in the Church—and we can scarcely believe that they will so far forget what is due to their self respect as to play at legislation, being without authority to legislate.

We can scarcely believe that in a matter so important as the Union, they will attempt to foist upon the churches an act which can have no more force than the decisions of the Students Debating Society.

We can scarcely believe that they will attempt to wrong the brethren who elected them by seizing what belongs to them.

We can scarcely believe that they will override the Barrier Act, for as Sir Wellwood points out, though the Presbyteries, &c., have the remit sent to them, yet as far as the Assembly itself is concerned, the Act is over-ridden.

We can scarcely believe that they will violate the Constitution and carry such an outrageous precedent into the United Church.

Some may think the position of the Assembly a very painful one; but why? To make a great mistake is not extraordinary; but to refuse to correct a great mistake when pointed out, is a great sin. Only small men make no mistakes. The greatness of their hearts in their enthusiasm for Union led them to forget what was strictly legal; but they have now an opportunity of retrieving all by showing the greatness of their understandings in correcting the mistake.

But suppose we should be mistaken in all this; in that case we would respectfully advise the Presbyteries not to make any returns to the adjourned meeting. Indeed we think that they should from the very first make up their minds to this, no matter what course the Assembly may pursue. If it dissolves of its own accord, it will be a graceful act, and there will be no need that the returns should be forwarded. If it is dissolved by an adjourned meeting upon the returns, it will be so much the better if they are not there; it will then be compelled to dissolve. Now, brethren, do not think this a small matter. Some members of the present Assembly can tell how aggrieved they would have felt if the Assembly of 1873 had adjourned to receive the returns to its remit, and thus cut them off from having any say in the Union question, and if it would have been such a grievance then, do not let it happen now; our laws and precedents should be for all time, not for a particular year.

Yours, &c., STADACONA.

Love is like war in this, that a soldier, though he has escaped the week complete of Saturday night, may nevertheless be shot through his heart on Sunday morning.—Stern.

The joy of the spirit is a delicate, sacred deposit, and must be kept in a pure casket; an unholy breath will dim its lustre and fade its freshness.—Cecil.