

owed its control to slip out of their hands. They ought, at once, to recover that control. They ought to do this, because that is the surest way of preventing an immensity of evil—while, at the same time, it is a certain method of doing a vast amount of good. Indeed, if it had not been for our strong desire to utter what is contained in this closing paragraph, we should not, probably, have written this paper at all.

TRUSTEES OF CHURCH PROPERTY—THEIR FUNCTIONS AND RELATIONS TO THE DEACONS OF THE CHURCH.

In previous numbers of this journal, attention has been called to evils now existing, and dangers to be apprehended in the future, from the undue extent to which—especially in our large cities—the control of all pecuniary affairs of the Congregation indiscriminately is often assigned to the Trusteeship, an office unknown among the constitutional offices of the Church, but created by the law of the State, for the care and protection of what the Maryland Incorporation Act properly terms “the estate, interest and inheritance of the Congregation.” We entirely accord with what has been said in Nos. 2 and 4 of the Critic, touching the inexpediency and the utter inconsistency of such an arrangement. The manifest tendency of the usage, is to hamper the free action, if not to enslave the Church, and bring about consequences similar in kind, if not equal in degree, to those which necessitated the exodus of the Free Church of Scotland. For practically it must lead to the exercise of a patronage right from without the Church, as objectionable in every point of view, as any right ever claimed by a Scotch Patron.

On the other hand, we as fully accord with the writer in No. 4 of the Critic, that the proposal to remedy this evil, by asking of the State to incorporate as Trustees of Church property, Deacons only, or other ecclesiastical persons, involves the still greater evil of admitting the right of the State to recognize an ecclesiasticism, as such, and to endow it with rights of property and corporate franchises. As we conceive of the matter, a recognition by the State of any ecclesiastical persons, as such, is contrary to that fundamental law of our American polity—a law not less the safeguard of the Church, than of the State itself—that the State, as *State*, knows nothing of the Church, as *Church*. According to the American theory, the State knows nothing of Church affairs and Church members, as such. It knows only people as people. It can confer corporate

privileges only upon people as people. It protects Church property simply as property belonging to people as people. In any litigation concerning such property, the courts of law contemplate the parties litigant, simply as citizens or denizens of the State; and therefore, though questions of ecclesiastical doctrine or order may arise before the Courts, they arise only incidentally, and in the way of evidence, going to establish the intent and meaning of contracts and obligations between the parties, as people of the State. Precisely here arises the grand objection to the recent calls made upon the State by the Papal Hierarchy, for an act conferring corporate privileges upon the Archbishops or Bishops of the diocese. The objection lies not, as many seem to suppose, to the incorporation of a Board consisting of a single man; for to that the objection is not very serious. It would by no means obviate the difficulty, should Archbishop Hughes propose the incorporation of all the Priests in his diocese, instead of himself. The objection lies simply and chiefly to the incorporation, by law of the State, of *an ecclesiasticism*, whether in the person of one man, or of an hundred. It would be equally forcible as against the incorporation of a Presbytery, Synod, Conference, or Convention; nay, even to the incorporation of the body of private Christians composing the Church, as a Church. For in either case, such incorporation would involve a principle contrary to our fundamental law of separation between Church and State. All the jealousy of the Church, either affected or really felt, by mere politicians, who clamor so loudly of Church and State, falls far short of the jealousy which every truly enlightened Christian man feels for Christ's great fundamental law, "My kingdom is not of this world." All history shows, that the Church has far greater reason to fear the encroachment of the State, than the State to fear the encroachment of the Church. The chief disasters are to the Church; and the danger of "Church and State" is by no means so imminent at any time, as the danger of *State and Church*. It is not, as the demagogues would have it, that the innocent and credulous politicians have been imposed upon by the shrewd and cunning priests—but that ambitious politicians, whenever the Church became important to their success, have imposed upon the ministers of religion, and used them for their own ambitious ends. And so of every degree and form of connection between the Church of God and worldly influence and power. No matter how great the present apparent benefit to the Church, it shall in the end bring trouble and disaster.

We are very far from thinking moreover, that the evils complained of arise from the choice of men as Trustees, who are not Church members. Nor do we suppose that it would be any material alleviation of these evils, to provide that none but Church members shall be eligible to the Trusteeship. We are unable to perceive the inconsistency, sometimes so much enlarged upon, of selecting men as Trustees of the Church property, who are not pious men. For the power which created the office having had no reference to any such

qualification in those who fill it—the purpose for which the office is created, not being one requiring any other qualification, than such as is requisite to the proper holding in trust of any property; and the parties represented by the Trustees not being the Church, as such, but the people who have procured the property for *the use of* the Church—we cannot see the necessity of qualifications for an office, which neither the power creating it, nor the purposes of its creation, nor the status of those represented in it, contemplates as necessary.

The true source of the difficulties referred to, is doubtless to be found in a usage which has grown out of a neglect of the office of Deacon, in the Church—of thrusting upon Trustees certain duties, which the State law that created the office, never contemplated the discharge of by the Trustees, on the one hand, and which on the other hand, the law of Christ's Kingdom has committed to altogether a different sort of officers. And it will be found, on careful inquiry into most of the cases complained of, that the evils arise not so much from any usurpation of power by Trustees, in spite of the Church, as from the neglect of the Church itself to obey fully Christ's ordinance, in the appointment of officers, and in duly regarding the offices of his Kingdom, and the consequent thrusting upon Trustees of duties which belong not to their office. In this, as in every other case where the Church departs from the law of Christ, however plausible the reasons for the departure, and how wise soever the seeming present expediency, trouble never fails to come from it. While it is very important that the Congregation, as people who build the house of worship, should be represented to the law of the land, and their rights of property be duly protected, it is no less, but rather far more important, that the Congregation considered as a Church of Jesus Christ, should have also their representatives to the law of His Kingdom, and protection for the funds which in obedience to His ordinance, their piety may dedicate to His service. As there is a very clear distinction between the body of people, as such, who combine together to preserve and hold a certain property for *the use of* a Presbyterian Church, and the organized body of Church members—the ecclesiasticism for whose use the property has been procured and held; so there is a like clear distinction between the duties of the Trustees, who represent merely the combination of people who procure and hold the property, and the Deacons who represent the Church, as Church, in the temporalities which necessarily grow out of the life and action of the Church; nay, which necessarily arise from the very ordinances of Christ's house, fully and properly administered. For it is not to be overlooked, that Christ has arranged even the ordinances of His worship, so as to provide revenues for the purposes of His Kingdom; and it is essential to the highest welfare of His Church, to observe fully all His ordinances. Now, not less distinct is the limit which separates between the duties proper to the Trustee, and those proper to the Deacon. As the Trustee represents to the law of the State simply a collection of

people, who have combined to procure and hold a property for the use of a certain ecclesiastical body, so the duties of his office are properly limited to the legal protection of the property, and the whatever may be needful to prevent its perversion to any use, other than that generally to which it was originally devoted. On the other hand, as the Deacons represent the temporal affairs of the ecclesiasticism, which has received from the people, the property to be used for the purposes intended, so the duties of the Deacons extend generally to whatsoever concerns the temporalities of the ecclesiastical body having the use of the property, in carrying on its work as a Church. Every thing therefore that may involve the question of right use of the property as held for the use of the Church, belongs to the Trustees. Every thing on the other hand which relates to the temporal affairs of the Church, having the use of the property in carrying out the great work of the Church as a spiritual body, appertains to the office of the Deacon. What ordinances shall be observed in the Church—what modes of worship—how often to be used—by what method the ordinances shall be provided and sustained among the people—are matters either determined beforehand by the Constitution of the Presbyterian Church, or are to be determined by the constituted authorities under that Constitution—not by Trustees created by the law of the State.

The confusion of ideas so common on this subject, doubtless arises from the prevalent practice of raising the means of paying for Church property, not by voluntary free gifts of the people, but by a sale of the pews, and of providing for the current expenses of the Church, by an assessment on the pews, rather than by the voluntary offerings of the people. When the building is paid for by free offerings, and handed over to the Trustees to be held for the Church, and the revenues raised by voluntary contribution, then the distinctive functions of Deacons and Trustees are very manifest. The Trustees in that case are vested with the title to the property, and protect it from perversion. The Deacons then manage all other temporal concerns of the Congregation. But the case is not so plain on the other scheme. Holding as they do, the estate from which the revenue springs, some sort of control of the revenues would seem belong properly to the Trustees. But if this arrangement, for supporting Gospel ordinances, were regarded as it ought to be, as somewhat anomalous in our system, and if moreover the Deacons' office were appreciated as it ought to be, there would be a special arrangement made in every such case, to suit the exigency. The Church—the ecclesiastical body for whose use the property has been provided, now finds the property transferred to its use, under certain restrictions, which it is a sacred duty to respect in every point. But care should be taken at the same time, to stipulate in the beginning, that whilst all these restrictions shall be observed in fact, the form and mode of their observance shall not be such as to hamper the Church in the full development of her spiritual organization, or in the entire freedom of her action in observing all the divinely ap-

pointed ordinances. By arrangement with the Trustees, instead of allowing the control of the secular affairs of the Church to follow the control of the property from which the revenues are raised, the practical management of these revenues should be transferred) like the property itself, to the Church, through her proper representatives, subject only to the restriction, of an appropriation of them according the original purposes for which they were levied on the property. In this way alone can the Congregation be made competent to contract fully through the Presbytery, for the support of the ordinances among them, according to the requirements of our Constitution. Under the arrangement which gives over the entire control of all the secular affairs to the Trustees, we seem to justify the absurd notion, that the Trustees are the party contracting with the pastor, and that the contract of the Congregation, through the Presbytery, is a mere form for the sake of appearances. Nor is it strange that under such an arrangement, we should find a constant tendency toward a practical independency in many of our large Congregations. Nor is it wonderful that in some cases the Trustees should even claim a direction. in the matter of the "collection for pious uses"—a claim which, according to the teaching of Scripture and our book, is tantamount to claiming a direction of the order of worship. For if it is competent for mere Trustees to direct what collections shall be raised at public worship, and for what uses, it is equally competent to direct what prayers shall be made, or how much reading of the Word, or what singing of praise.

But as already intimated, the real blameworthiness in this whole matter, lies not at all with the Trustees, but with the Church. The difficulties which have arisen from the confusion of powers, have not been generally from a desire of Trustees to usurp power over the Church, but rather from the negligence of the Church, in ignoring practically her own officers, and thrusting upon Trustees the discharge of duties not properly belonging to them. It is a fact not to be disguised, that after all that has been said and done of late years toward a more perfect organization of the Church, the Deaconship is yet but very partially restored to its rightful place as a part of the organization. At the time of the Reformation, the Churches every where being entangled in State alliances, or suffering from the oppression of the State, no fair opportunity was afforded of practically exemplifying the completely organized Church. Nothing can be more manifest, than that the ideal of the Deaconship, which they deduced from Scripture, was not then fully exemplified, nor has it yet been. It was natural enough for those trained up in Churches connected with the State, to transfer some of the imperfections of that condition to the Churches which they planted here. And accordingly the traces of these imperfections may yet be found among us. Perhaps none of them are more plainly marked, than those which relate to the Deacon's office. In justification of these remarks, we need only quote in conclusion, a few testimonies in relation to the theoretic views of the office of Deacon, and the proper

management of Church temporalities, which prevailed two hundred years ago, and simply ask our readers to contrast them with the practical illustrations of them which now prevail in too many of our Churches. Hetherington gives the following account of the discussion, and the decision upon this point in the Westminster Assembly:—

“The office of Deacon next engaged their attention. The institution of this office was not denied, but several were of opinion that it was of a temporary nature. This view was entertained by few except the Erastians; and when the Assembly decided that the office of Deacon was of a permanent nature, Lightfoot alone voted in the negative, though both Coleman and Selden had spoken against it. The opposition to the permanence of this office, seem: *to have arisen chiefly from 1 fact, that there existed in England a civil poor law, instituted in the reign of Elizabeth; which led some to oppose the Deaconship as unnecessary, others as interfering with a civil arrangement.* It was well suggested by Mr. Vines, “that the provision of civil officers made by the civil State for the poor, should rather slip into the office of a Deacon, than the reverse, because the latter bears the badge of the Lord. * * * * *”

With this discussion terminated the year 1643, in which the business of the Assembly had been chiefly of a preliminary character. It had however been solemnly decided, that Christ is so completely the Head of the Church, that all its offices are essentially in Him, and from Him they are all primarily and authoritatively derived; that of these offices some are extraordinary, and have ceased;—those namely, of Apostles, Prophets and Evangelists; that Pastors, and Deacons or Teachers, are essentially the same, and form the highest order of divinely appointed officers in the Church; that Ruling Elders are also of Divine appointment, and are distinct from Pastors; *and that Deacons are likewise of Divine and permanent institution, though not entitled to preach or to rule, but to take charge of charitable and pecuniary concerns.*—(Hist. of West. Ass. pp. 143, 144.)

A not less remarkable testimony is that of John Owen, of the same era—who, though an Independent, and the great light of those who confound the office of Ruling Elder and Deacon, thus speaks of the nature and functions of the office in “The True Nature of a Gospel Church”—Chap. 9:

“The office of Deacon is an office of service, which gives not any authority or power in the rule of the Church; but being an office, it gives authority with respect unto the special work of it, under a general notion of authority; that is, a right to attend unto it in a peculiar manner, and to perform the things that belong thereunto. But this right is confined unto the particular Church whereunto they belong. Of the members of that Church they are to make their collections, and unto the members of that Church are they to administer. Extraordinary collections, from or for other Churches, are to be made and disposed of by the Elders.—(Acts xi, 30.)

Whereas, the reason of the institution of this office was, in general, to free the Pastors of the Churches who labor in word and doctrine, from avocations by outward things, such as wherein the Church is concerned, it *belongs unto the Deacons not only to take care of and provide for the poor, but to manage all other affairs of the Church of the same kind; such as providing for the place of the Church Assemblies, of the elements for the Sacraments; of collecting, keeping and disposing of the stock of the Church, for the maintenance of its officers and incidences,* especially in time of trouble or persecution. Hereon are they obliged to attend the Elders on all occasions, to perform the duty of the Church towards them, and receive directions from them. This was the constant practice of the Church in the primitive times, until the avarice and ambition of the Superior Clergy enclosed all alms and donations unto themselves—the beginning and progress whereof is excellently described and traced, by Paulus Sarpus, in his treatise of matters beneficiary.”

Near one hundred years anterior to the Westminster Assembly, the same view of the Deaconship was not only promulged, but carried out in the organization of the Church. The Book of Policy, or

First Book of Discipline, constructed by John Knox himself, and sanctioned by the General Assembly of 1561, in delineating the form and order of the Protestant Church of Scotland, sets forth the ordinary and permanent affairs of the Church as of four kinds: 1.—The Minister or Pastor to preach and administer Sacraments. 2.—The Doctor or Teacher, to expound Scripture, and refute error. 3.—The Ruling Elder, who assisted the Minister in exercising ecclesiastical discipline and government. 4.—The Deacon, who had the *special oversight of the revenues of the Church, and the poor.* (See McCrie's Life of Knox, p. 211.) Accordingly in 1560, when there was but one place of worship in Edinburg, and Knox the Pastor, we find the number of Elders twelve, and the Deacons sixteen.

We may quote also, as showing the entire agreement of all the Reformers in their interpretation of Scripture on this point, Calvin's view of the office, as administered in the Apostolic and early Churches:—

“Nor was the situation of Deacons at that time at all different from what it had been under the Apostles. For they received the daily contributions of believers, *and the annual revenues of the Church*, to apply them to their proper uses, that is, to distribute part to the ministers, and part for the support of the poor; subject however, to the authority of the Bishop, to whom they rendered an account of their ministrations every year.—(Calv. Inst. B. 4, Chap. 4, sect. 5.)

It is needless however, to multiply the citations of opinion upon this subject. If the teaching of the New Testament concerning the contribution for pious uses, as one of the ordinances of Divine worship—as really so, as prayer and praise—be accepted in its fulness, as it is in the standards of our Church, there can no longer be any question that the office of Deacon is absolutely essential to the complete organization of the Church. And it is chiefly because this part of worship has been too little regarded, that the office which grows necessarily out of its exercise, has been allowed to fall into disuse. In such a state of things, nothing is more natural than the devising of human expedients to supplement the deficiencies of the Church's organization. Then nothing can be more inevitable, than that such use of human expedients should bring the Church into trouble.

From what has been said, we derive these conclusions:—

1.—The normal order in the Church is, that the ordinances of the Gospel should be supported among the people by their voluntary offerings.

2.—The office of the Deacon is the Divinely appointed agency for the management of these offerings, and all the business connected therewith.

3.—The office of Trustee in the Congregation, is simply a human expedient for the protection of such estate as the people incidentally may provide for the uses of the Church, in order to its better accommodation.

4.—That though for reasons of expediency in any case, it may be the will of the people to give their offerings for the

support of the Gospel among them, the form, of a price paid for certain pew rights, and of assessment on the pews, yet this should ever be regarded as the **abnormal** order, and an expedient to serve a purpose in a given case. While every care should be taken to respect the rights of property, and the obligations of the Trustees holding authority under law of the State, yet special care should be taken to have such arrangement made, as to leave the Church untrammelled and *free* in her action through her own appointed officers, Divinely ordained.

5.—The true remedy for the growing evils from the usage which now obtains in many of our Churches, will be found in a restoration of the Deacon's office in its full exercise, and in such arrangement of the duties of the Trustees and the Deacons respectively, as shall confine those of the former strictly within the limits of the purposes for which the law of the State creates the office, and extend those of the latter to all the purposes for which the office was instituted by Christ.

We have read with peculiar satisfaction, since the foregoing writing, the proceedings of the late meeting of the Synod of Pittsburgh on the matter of the Deaconship in our Churches, and the memorial to the next General Assembly on that subject. We earnestly hope, that all who feel an interest in seeing our Church *perfectly* organized, and in the use of all the agencies which Christ has appointed for the administration of His Kingdom, will see to it, that this appeal to the Assembly shall not be without effect. We venture the opinion however, that in order to gain the object sought by the Synod of Pittsburg—to wit, a due regard to the matter of “the existence, efficiency, and power of the office of Deacons”—some questions as to the functions of Trustees, and the extent of their duties, must first be settled. If, in the central and influential Churches, the Trustees are made a substitute for Christ's officers, the Deacons, it will be in vain to labor for the general restoration of the Deacons to their proper place and dignity.

[For The Critic.]

LETTER OF A VIRGINIA PASTOR TO AN INQUIRER
CONCERNING THE PROPER SUBJECTS OF BAP-
TISM.

My Dear Sir:—

It is a matter of sincere regret to me, that I am so little competent to solve the difficulties which environ the subject of Infant Baptism to your understanding. That these difficulties are suscep-