

tence of this hope made me impatient of everything which tended to hinder the Council from getting at what seemed to me to be its proper work; and so I was not sorry when our President "waved his hand," and brought these discussions to a close—their final one as it turned out to be."
JOHN DAVIS.

That more did not remember the question asked of the church by some one at the first sitting of the council, may seem at first sight strange; but when it is remembered that the question was not put through the chair (as testified by the Secretary), and that, as the Rev. Mr. Davis states, "there was much stir and excitement" at the first session, it is not difficult to imagine that some were inattentive through pre-occupation or other causes. But of those who have expressed their views on the matter as to whether they supposed they had been called to deliver opinions which the church was bound to accept, only two have thus explicitly affirmed, the Rev. Mr. Armstrong, and the Rev. Mr. Hunt. They state that they would have declined to act if they had supposed the decision would not be regarded as final. It is clear, it seems to us that their assumption was gratuitous. But before we pass on, let us note the following statement contained in one of Mr. Armstrong's letters in the *Visitor*. He says:—"But the question as to accepting the decision was not, I am satisfied, raised, and of course the answer alleged not given." Nothing more extraordinary than the above can be found in the whole series of Mr. A.'s letters. That Mr. Armstrong could, after what has been published on this point, make such a statement seems impossible, but yet it appears under his own hand. Does Mr. A. attach no importance to evidence? Is his mind closed against the testimony of witnesses, whose standing he knows as well as we do? Does Mr. A. mean to publish to the world that four men of whom we can speak individually, have by collusion attempted to establish a thing as a fact which never happened? Rev. Mr. March is one witness,—a brother who was a member of the council with Mr. Armstrong, and who came to these Provinces from England, bringing with him the most satisfactory testimonials of character, and who has gained since coming among us, a reputation as an intelligent and upright man, and a faithful and devoted minister of the gospel, first in New Brunswick, and then in Nova Scotia.

W. Faulkner, Esq., of Truro, a brother of sterling integrity and devoted piety, and so well known for these qualities, that he was selected to be a member of the late council, is another man who has borne testimony on this point.

We could speak in the same strain of B. H. Eaton and of T. H. Rand, Esqs., both men in public life and of high standing, both officers in our church, but as they are of our own number we refrain. These four brethren—one a minister of the gospel and three holding offices in the churches to which they belong—come forward and publish under their own hand that a certain thing took place on a certain occasion. Each one gives his own recollection of what he heard, in language so dispassionate and lucid, that it is apparent to all that there is definite recollection of the thing stated. Their recollections and statements are not contradictory, but harmonious and cumulative. There is a natural and convincing argument in what they severally recollect, and state. How would the testimony of such witnesses be regarded in a court of law? We will venture to state that a cause could be successfully carried through any British court against the negative testimony of a hundred witnesses if it were sustained by such evidence as they give, to establish a fact that had been questioned. And, moreover, we will hazard the assertion, that there is not a judge or jury in all the land, who, after hearing the testimony of such gentlemen, would risk reputation in publishing to the world that they did not believe the thing ever took place to which these men gave their testimony. And does Mr. A. upon negative evidence, mean to say that this thing did not take place, after these four christian gentlemen positively declare it did take place? Wonderful to be told, he does. In doing so he but shews like Dr. Crawley, that the desperate task he has undertaken, requires him to trample under foot the plainest laws of evidence.

(5.) When the Decision was delivered and a vote of thanks proposed, a unanimous vote was withheld until it was distinctly explained by the President, that such vote would not compromise any member of the church in regard to accepting or not accepting the decision. Mr. Armstrong was silent then, as was also his fellow councillors. That would have been a fit time to have spoken out his sentiments.

(6.) The Decision itself declares as plainly as can be that those who sat upon the Council, did not suppose they were acting as anything more than an advisory body. It says:—

"In relation to the whole matter of calling a Council in critical cases of a difficult nature between pastor and people, we are of opinion that for the interests of all parties concerned, an advisory council will generally be found desirable, and that such a procedure is in harmony with the practice of the churches in these Provinces."

This is what Mr. Armstrong and Mr. Hunt said to us as Councillors; but they now tell us that they would not even have sat upon the Council had they supposed the church was not bound to accept their decision! It is passing strange. The decision also recommended the church to "reconsider" its action touching the transactions in the affairs of Miss Vass, which recommendation seems clear; to admit that it was the duty of the church to exercise their own judgment in the matter, and as clearly advises the church to this course.

(7.) When the Clerk of the church was persevering in his effort to get the Minutes of Council, he, four days after the delivery of the decision, wrote thus to the Secretary of the Council: "They," the church, "wish to know by what steps you arrived at it, (the decision,) so that they may be able to decide conscientiously whether they ought to abide by it or not." The italics are ours. (Reply, page 68.) What did Mr. Armstrong say then? Did he express his astonishment at the assumption of the church? Did he say, What! has the church then, deceived me and my fellow Councillors? Was not the decision delivered by the Council final, and does the church now pretend to talk about deciding whether they ought to abide by it or not? No, nothing of the sort. (Reply, page 19.) This was a rare time to have spoken; but he was silent. This claim of finality for the decision had not then been thought of.

The facts now set forth appear to us to be fatal to Mr. Armstrong's recent attempt to shew that the church was bound to accept the decision of the Council as final. From the statement of facts we have given, it is evident, (1) that the Church regarded it as fundamental in Baptist polity that in such a case as was then under consideration, it could not transfer ultimately the duty of deciding for itself; (2) that the Councillors were invited to report their opinions to the church; (3) that the representatives of the church not only had no authority to agree to accept a decision, not yet delivered, but had they so agreed would have knowingly done violence to the solemn convictions of the church; (4) that they did not do so but expressed their determination not to do so; (5) that at least five members of the Council were not acting with the belief that the Council's decision was to be binding; (6) that when the decision was delivered in the presence of the whole Council, the church unmistakably indicated what they believed to be their duty on this point, and no surprise was expressed by any member of the Council at the same; (7) that the decision itself recommends advisory Councils in such cases as the one with which it was dealing, and anticipates the subsequent exercise of judgment by the church touching the very case of which it spoke; and (8) that four days after the delivery of the decision, the Secretary, (Rev. Mr. Armstrong) on learning that the church intended to exercise such independent judgment, expressed no surprise at such a course.

Is it not astonishing that with this array of facts before Mr. Armstrong's mind, he should write as he does? The letter of the Rev. John Davis, of April 8th, in connexion with what has gone before, must settle this question forever with impartial men.

By order of the Church,
B. H. EATON, Clerk.

No. 4.

DEAR BRETHREN,—

We have shewn conclusively, we believe, that certain well known facts connected with the very point raised by our accusers, are diametrically opposed to the conclusions they so diligently labor to establish. When Dr. Crawley thought fit to predicate his famous charge against us upon the assumed ground of silence on our part as to whether we would or would not accept the decision as final, we were able eventually to place before him the facts on this point which we have now given. We then called upon him to withdraw the charge, since it was proved that his assumption was a wrong one. To this hour he has not done so! On the contrary he has argued, and argued, and argued to shew that the decision must in some way be binding. Mr. Armstrong in faithful imitation of Dr. Crawley, argues as if no facts existed on the point. And yet these brethren assume to teach the christian public through the *CHRISTIAN VISITOR*, how to judge of evidence, and how to conduct difficult investigations to correct and true issues. In order that it may be seen how inconclusive are the arguments adduced with so

much earnestness,—arguments which should never have been presented,—we shall examine them with as much patience as we may be able to command. It is alleged that since in the selection of the Council Dr. Pryor chose six and the church six, both Dr. Pryor and the church were bound to accept the decision.

"Equality of choice" does not warrant the conclusion. 1. This council was not a very mutual one. Dr. Pryor chose whom he pleased with one single reservation, (barely adhered to), namely, that no connexions should be chosen. They might have openly and publicly, and over and over again declared their solemn belief in his innocence, that could not hinder their being chosen. Give a member under discipline the choice of half of his judges, and upon what principle will he be likely to proceed. If he were a bad man, (and an innocent man would not ordinarily care to have the selection of his own judges,) would his choice be dictated by a desire to secure men most likely on all accounts to do even-handed justice? If men were within his call who were under obligations to him, who had been his long and intimate friends, who had been the long and intimate friends of his advocates, who had declared their belief in his innocence, and all of them for these reasons not likely to be impartial judges, would he be likely to turn aside from these men and choose those whom he knew would not be thus disqualified? Is it at all probable that a mutual choice will secure better men—men who will give a decision more worthy to bind? We think if you will reflect upon the matter a moment, you will see that the contrary is the case.

2. This equality of choice naturally tends to create two parties among the councillors. One half is chosen by the accused, and that very fact is calculated to make them feel that their special work is to protect his interests. It is safe to say that in the large majority of cases no one but a bad man would make equality of choice a *sine qua non*. Such a man might seek to select men to do his bidding. These would be men well calculated to form a party. The existence of two parties would not surely entitle their decision to peculiar weight.

3. Now look at the practical working of such a council. Suppose the accused to insist upon the exact number of twelve. Suppose the six selected by him secure the appointment of one of the church's six, as President of the council, (a thing which they could hardly not fail to do if so disposed, unless you can imagine one of the other six voting for himself.) Here then you may have six against five on all questions arising during the proceedings. The party of the accused are a majority. Is a decision to have peculiar force in a case where such things are not unlikely to take place?

4. But Mr. Armstrong argues by this equality of choice, that Dr. Pryor was bound to accept the decision; and were not the Church equally bound? What does Mr. Armstrong mean? Dr. Pryor in the most solemn manner attested to his own perfect innocence previous to the Council's investigation. Whether the Council found him guilty or not could not of course alter the fact. If innocent before the investigation he would be equally so afterward. Suppose the decision to pronounce him guilty. Then he (an innocent man) must confess himself guilty. That is Mr. A.'s logic. On the other hand, in this very case the church who thought Dr. Pryor deserving suspension might have become convinced during the investigation, that he was innocent. But the Council might have viewed the evidence differently and been compelled to pronounce him guilty. What would the church then have been bound to do? To exclude one whom they believed to be innocent? That is Mr. A.'s logic.

5. Suppose in a case where equality of choice exists, the evidence shows the accused man to be a thoroughly bad man. Now, that man knew his guilt when he selected his judges. Will not each of these judges naturally say to himself when he finds the evidence growing darker and darker, why did he choose me? He knew if I were impartial I must condemn. Why did he choose me? And will not a judge so chosen have a direct personal interest in seeing the accused man acquitted. If such is the case this fact is not calculated to add force to a decision.

6. It is too bad to claim that because Dr. Pryor was granted a privilege to which no member of a church could assert any right, the decision should be more binding than if he had not been granted that privilege. This is making an ungrateful use of favors. So much for the equality of choice argument. It does not, we think, bear examination.

Let us notice briefly another argu-

ment advanced in favor of the binding force of the decision,—the acceptance of the Council by the church.

Acceptance of the Council does not warrant the conclusion.—Mr. Armstrong says, "The Council as organized was accepted. This was enough." This begs the question. What did the church mean by accepting the Council? This is answered by the answer to another question. What did they mean by "inviting" the Council? They meant to ask their brethren to "investigate" certain matters and give them their "opinion." Formally accepting the council as organized could only have meant that we recognized them as the men whom we had invited, and that we had no objection to the mode in which they had selected a President and Secretary. We thought when the question was asked and think still, that it was a superfluous question. We think it is clearly one of the things which a council may do without the concurrence of the church—namely—organize itself. An invitation given and accepted would surely entitle them to organize and proceed without question to the discharge of the duties which they were invited to perform.

But we confess our utter inability to understand what point there is in this argument of acceptance, unless Mr. Armstrong would have us suppose that 'the net was spread for our feet,'—a supposition which, if true, would of itself be sufficient to damage his cause forever in the minds of christian men.

By order of the Church,
B. H. EATON, Clerk.

No. 5.

DEAR BRETHREN,

It requires the exercise of considerable patience to follow our accusers through all the windings of their special arguments by which they labour to establish a conclusion which by this time must be repugnant to every impartial mind. But you will, we hope, bear with us while we endeavour to expose other assumptions by which they seek to make it appear that the decision of the council was binding upon our consciences, no matter whether that decision was properly reached or not.

Dr. Crawley in one of his letters in the *Messenger* says, "The reference to the council was well understood to be in fact an arbitration." Mr. Armstrong in speaking of the mutual character of the council, and claiming that it was not an "ordinary" council (a claim we have no disposition to dispute,) says, "Does not this equality of choice show by necessary implication that the reference to the council was of the nature of an arbitration; the award of which both parties were equally bound to accept?" Now, we ask you to look at this matter from two points of view.

First. We shall endeavour to show that this reference was not an arbitration, and then assuming that it was an arbitration we think we can show clearly that the award delivered was not such as to claim or warrant acceptance.

It was not an Arbitration.—1. The equality of choice does not prove it was. That simply proves that the church granted Dr. Pryor an immense privilege, namely, the selection of six of his judges. You cannot have an arbitration where there are not two parties. There was only one party here and that one the church. To talk of Dr. Pryor as one party and the church the other is strange doctrine. This elevates a member of a church of Christ who is considered guilty, to the same level with the church itself whose duty it is to discipline such member. Had Dr. Pryor been one party he would have "appointed" his six chosen judges. But he was simply a chooser. The church appointed them and invited them. They came to Halifax on the church's invitation alone. They came to aid the church.

2. There can no be arbitration in questions of morals. In private matters between individuals where questions of law and questions of fact arise, arbitration may be resorted to. So if a difficulty in money matters arise between two members of a church a reference to arbitrators may be right and proper. In regard to criminal offences, however, the law does not permit arbitration. No more can there be such a thing as arbitration where the alleged immoral conduct of a member of a church is under investigation. There is no question between the church and the member that can be left to arbitrators. The only question to be decided is one between the church and its Head. Has this member violated the laws of God? Has he been guilty of such offences as demand his being cut off from church relationship? If you say it was an arbitration and there were two parties, then who were the two parties? The church and a part of the church. The body is arbitrating with the hand, as to whether the hand shall be