

BRIGGS' HERESY CASE.

Accused Resumes His Argument Before the General Assembly.

DEPENDS THE ACTION OF THE NEW YORK SYNOD.

Rev. James D. Bruce of New York Elected Moderator of the United Presbyterian General Assembly—Meeting of the Lutheran Synod at Canton, Ohio—New Sunday-School System.

Special to the Record-Union.

WASHINGTON, May 25.—The Presbyterian General Assembly adopted the recommendation of the Judicial Committee that the six complaints against the New York Synod, growing out of the Briggs trial, be referred to the Judicial Committee for trial. It also adopted, without dissent, recommendations on overtures from Presbyteries concerning appeals from Presbyteries direct to the General Assembly; that such appeals are proper as to all matters relating to policy of the church, but an overture from a Presbytery as to a pending judicial case, such as that of Professor Briggs, advising the General Assembly as to what action it should take in such a case, is irregular and unprecedented in ecclesiastical procedure, and that the proper way for the Presbyteries to influence pending cases is through their respective commissioners on the floor of the General Assembly.

After appointing a committee to ascertain whether the World's Fair would be open on Sundays, the assembly resolved itself into a court, and Professor Briggs resumed his speech in defense of the action of the New York Presbytery in his case, and in opposition to entertaining an appeal therefrom.

The assembly passed a resolution declaring the World's Fair grounds to be merely a bonded warehouse, and appointed a committee to wait on Secretary Carlisle to ask him to treat it as such and close it on Sunday, as all other bonded warehouses are.

Customs officials, however, say that it is impossible. There is no way in which the exposition building containing the bonded exhibits could be closed like bonded warehouses except by placing a lock on them.

The committee waited on Attorney-General Olney this afternoon and were delighted at learning of his instructions to District Attorney Mitchell, which were to appeal to the Federal Courts to close the grounds on Sunday.

After recess, Dr. Briggs spoke bitterly against the opinion of the brief of the prosecutors of the question put to him to state his faith, and his answers thereto. "What right had these appellants to omit such matters as they pleased from the official or semi-official documents?" He wished to make an explicit denial of the charge that he had preached doctrines against the fundamental doctrines of the church.

"I affirm that I believe," he said, turning with outstretched hands to the audience, "the Holy Scriptures to be the work of God."

After briefly restating the points made yesterday, Dr. Briggs said in part: "The Presbytery in New York, the largest in the Presbyterian Church, after a long and patient consideration of the merits of the case, gave a verdict of acquittal. Would the General Assembly be willing to give the same amount of time and patience to consideration of the merits of the case if the appeal is entertained? If you override all provisions of the constitution and the maxims of the civil law, the usages of the civil and ecclesiastical courts, in order to entertain the appeal, and then rush to a hasty decision, you will strike a deadly blow at the constitution and discipline of the Presbyterian Church."

Dr. Briggs then reviewed the history of the case through various stages in the Presbytery and General Assembly. "The General Assembly," he said, "cannot entertain this appeal without doing violence to the sense of right which is exhibited in the Constitution of our country, in the maxims of common law, in the statutes of our commonwealth and the practice of our civil courts, without establishing an entirely new and dangerous precedent in ecclesiastical law, without doing a grave injustice to the defendant and to the ownership of New York, and without undermining public confidence in the purity of Presbyterian discipline. Is not this too heavy a cost to pay for the sake of securing the condemnation of one man, however objectionable he may be? Is it not too great a strain to put upon the Constitution, in order to gain a decision on questions of doctrine which may be more clearly and satisfactorily defined by procedure prescribed in the form of the instrument? The common law lays down this fundamental principle, which applies to this case, if to any. It is for public good that there be an end to this litigation.

"The General Assembly cannot take this case under consideration. The matter is in the hands of the Synod of New York. That Synod has thrown its shield over defendant, and will protect not only him, but its ownership of New York, the case without having its jurisdiction interfered with rashly by this Assembly. It was bad policy for the church to have the intervening of the courts overlapped. If the Assembly entertains this appeal, the glory of the Synods will have departed, and those who thus succeed in breaking down this precedent will drive a coach and four through the breaches in the palace of justice. If the assembly should decide to come to the final decision of the New York Presbytery, it would not be a final decision for the defendant. The Presbytery and Synod could not accept it as either constitutional or valid.

"Before a decision could be made," continued Briggs, "it will be necessary in the interests of common sense and justice, to have intercessory appeals passed upon. They are in the hands of the New York Synod, and it is attempted to brush aside all these in efforts to bring the matter to a speedy conclusion, when the time saved could not be more than a year. Here in the Capital of the Nation it is being attempted to override some of the commonest principles of law, in order to gratify the vain ambition of these prosecutors."

Briggs closed with an appeal that the case might go to the Synod of New York. It was that done he would aid in the full solution of the case, and then if it were sent back to the next General Assembly, he would abide by its decision, whatever it might be. He regretted if he had said anything that caused trouble in the church. He had taught for twenty years at the Union Theological Seminary, and

of all persons that have been taught by him he challenged any of them to say that he had taught them anything that had interfered with the true discharge of their holy duties.

Dr. Briggs concluded his address at 3:10 o'clock. As he took his seat a wave of applause ran over the rear of the church, which evoked an indignant rebuke from the Moderator.

Then Colonel McCook began the closing argument for the Prosecuting Committee in support of the recommendation that the appeal be entertained. Almost at the opening Dr. Briggs interrupted to correct what he claimed was a misstatement. Moderator Craig said to Briggs that he had been allowed four and a half hours without interruption; that McCook heard him through without objection, and that Briggs should allow McCook to go on in the same way.

The history in the various stages was recited by Colonel McCook, and the regularity of the several steps was firmly maintained. Colonel McCook said: "A great weight has been given to technical questions raised in the interest of appellant, and based upon a clause in the fifth amendment to the Constitution of the United States, 'nor shall any person be subject for the same offense to be twice put in jeopardy of life and limb.' It has been ingeniously claimed that the appeal from the New York Presbytery would place the appellant's 'ecclesiastical life' in jeopardy a second time. This inappropriate use of the term 'ecclesiastical life' seems to have confused the minds of some. These are not criminal proceedings, involving peril to the life or limb of appellee. They are proceeding to enforce a contract, or rather to determine whether this contract has been maintained in all its integrity."

At 4:35, after speaking an hour and twenty minutes, a recess was taken until evening.

At the evening session McCook continued his speech, and considered the plea that the acquittal by the lower court bars the right of appeal, and asserted that such claim is not true in fact nor sound in law; also, that it was regular for appeals to be taken from the Presbytery to the General Assembly.

In conclusion, McCook gave a reason to the Prosecuting Committee why appeals should be entertained. Among other things, they said it is imperatively necessary that a final decision be reached at the earliest possible date, as great and wide-spread injury is certain to come from protracted delay. If the doctrines presented by Briggs be erroneous, as the committee believes, then through this delay "heretical" opinions are set on foot, and the church be affected injuriously through continuance, uncertainty and doubt.

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The State Analysis.

"For purity and care in preparation the Royal Baking Powder equals any in the market, and our test shows that it has greater leavening power than any of which we have any knowledge."

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Prof. Chemistry, Cal. College of Pharmacy of the University of California, Chemist State Board of Agriculture, etc.

ARMED AND READY.

The Highbinders Prepared and Waiting Hostilities.

Indications That There Will Be Another Outbreak in the Chinese Quarter Very Soon.

The rival gangs of highbinders in Chinatown are whetting their cheese-knives and loading up their revolvers with dynamite and chain-shot, preparatory to filling up their cemetery.

The war is to be between the Bing Hong Tongs and the Chee Gong Tongs again, and promises to be a continuation upon a larger scale of the riot of some months ago.

The case of the murder of the merchant Lee Gung, one of the most prominent and successful of the Chinese quarter, was the occasion of a recent outbreak. The young lady clearly wanted to sing with her troupe, she fully let her themes last evening, but was just nervous enough to prevent her expressing them as warmly as she desired. The reception accorded the young woman was very flattering and well deserved.

Several magazines and arsenals have been established on Third, Fourth and I streets, where it is believed the warring parties are depositing their arms. Several magazines and arsenals have been established on Third, Fourth and I streets, where it is believed the warring parties are depositing their arms.

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THE "APPEALS" PICNIC.

A Very Largely Attended and Successful Affair.

Yesterday's picnic at Eureka Grove, near Marysville, given under the auspices of the Marysville Appeal, was a great success both in point of numbers and socially.

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The Mouperel.



FOR THE LITTLE ONES.

We are offering a variety of pretty Hats and Caps for Children at prices that cannot fail to interest the mothers of the little ones.

Children's Wash Hats, suitable for school wear, in pink, blue, red, white and cream. Price, 50c.

Children's White Embroidered Mull Wash Hats, in all the newest shapes. Prices, 85c, \$1.10, \$1.25 and \$1.50.

Children's Silk Mull Hats, trimmed in lace. Colors, red, pink and white. Price, \$2 and \$2.50.

Children's Sun Bonnets in navy blue, red, sky-blue, pink and white. Prices, 25c to \$1.

Children's White Mull Bonnets, in all the newest designs. Prices, 20c to \$1.50.

SKIRTS OF SPECIAL VALUE.

Ladies' Black Sateen Skirts, trimmed with lace and embroidered. Prices, 75c to \$2.25.

Ladies' Striped Gingham Skirts. Prices, 80c to \$1.50.

Ladies' Pongee Skirts, plain and trimmed with embroidery. Prices, \$2.75 to \$11.50.

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Meeting Notices.

MEMBERS OF RED JACKET... W. A. STEPHENSON, Secretary.

General Notices.

CAMP'S RHEUMATIC REMEDY... W. A. STEPHENSON, Secretary.

PROFESSOR MEAD, ASTROLOGER... W. A. STEPHENSON, Secretary.

M. AND MRS. FITCH, TRANCE... W. A. STEPHENSON, Secretary.

NOVELS BOUGHT, SOLD AND EXCHANGED... W. A. STEPHENSON, Secretary.

WANTED IMMEDIATELY—AN EXPERT... W. A. STEPHENSON, Secretary.

INFORMATION WANTED—IF THOMAS... W. A. STEPHENSON, Secretary.

WANTED—BY AN ELDERS WIFE... W. A. STEPHENSON, Secretary.

WANTED—A GIRL 15 OR 16 YEARS... W. A. STEPHENSON, Secretary.

WANTED—BY A COMPETENT... W. A. STEPHENSON, Secretary.

SITUATION WANTED BY A RELIABLE... W. A. STEPHENSON, Secretary.

WANTED—EXPERIENCED LIFE... W. A. STEPHENSON, Secretary.

WANTED—AN INTELLIGENT MAN... W. A. STEPHENSON, Secretary.

WANTED—MEN FOR FARMS... W. A. STEPHENSON, Secretary.

TO LET—COTTAGE OF FIVE ROOMS... W. A. STEPHENSON, Secretary.

TO LET—FURNISHED ROOMS... W. A. STEPHENSON, Secretary.

TO LET—ONE OF THE OLDEST... W. A. STEPHENSON, Secretary.

TO LET—FURNISHED ROOMS... W. A. STEPHENSON, Secretary.

TO LET—415 K STREET, A FINE... W. A. STEPHENSON, Secretary.

FOR SALE—A FINE SPAN OF GRAY... W. A. STEPHENSON, Secretary.

FOR SALE—A FINE SPAN OF GRAY... W. A. STEPHENSON, Secretary.

FOR SALE—A FINE SPAN OF GRAY... W. A. STEPHENSON, Secretary.

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