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“Unless I Am Overcome with Testimonies of Holy Scripture.”

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A number of conflicting interests were represented at the German Diet at Worms which was opened January 28, 1521, and closed May 25, but none could compare, as regards dignity and practical importance, with the two interests which clashed in the great hall of the *Bischofshof* as the sun was setting April 18. The dusk of evening that was dimming the splendor of that gorgeous scene was prophetic of the gloom that was settling on a false principle of authority in religion; the lone figure that stood before the tribunal of earth's mightiest Caesar and calmly voiced his determination not to yield to the order of an autocrat in an affair of conscience, was a flaming torch, typifying the “light at eventide”¹⁾ of which the prophet spoke. The empty seats of Aleander and Caraccioli, the papal nuntii, at that session of the Diet were a practical confession of their inability to match their man-supported claims of power against the God-given power which sustains the confessor of God's Word. Numerically, the odds were against *Luther*; spiritually, *Rome's* case was hopeless. The man with the Bible represents the true majority.

The division between Luther and the Curia had been drawn in ever sharper lines since the day when the Wittenberg professor had modestly raised the question: By what right is forgiveness of sin sold? During the forty months, until Luther started on his memorable journey to Worms, the question had been debated by the best talent that Rome could oppose to Luther; Luther had stood his ground against each of them, and as his knowledge of Rome's principle in the argument widened, his conviction that the

1) Zech. 14, 7.

Confessionalism of the Missouri Synod.

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4. QUALITY AND CHARACTER.

A. *Absolute or Relative Necessity of Symbols?*

It is, indeed, true that the Symbolical Writings are not, as some have claimed, of absolute necessity; nor are they supplements to an insufficient norm. But their necessity, as has at all times been asserted and attested by the orthodox teachers of our Church, is of a hypothetical nature—a so-called necessity of expediency, produced by existing circumstances.

Dr. Walther, in Preface to "Lehre und Wehre," 1877.1)

In the issue of March 21, 1862, a contributor to the *Lutheran Observer*, who signs himself "Spener," sets out to exhibit the sterility of symbolism. His exhibit is the German population of St. Louis, where the old symbolic system imported from Europe more than twenty years ago has been in operation, he says, without let or hindrance all this time, and in twenty years has succeeded in winning for its church out of sixty thousand Lutherans from Europe only five thousand. The writer declares this result a *testimonium paupertatis* for symbolism. He is gracious enough to say that he does not wish his remarks to be understood as a stricture upon his brethren of the old symbolical faction, especially not upon those of St. Louis, whom he regards, from all that he knows about them, as good, learned, and pious men. He merely wishes to point out to them "that their *system* is wrong," and it is this system which he and others oppose.²⁾

Our interest in this episode at present is merely this: to show that within the first quarter of a century of the existence of the Missouri Synod its confessional attitude had led to the coining of catch-words by which its fidelity to the Symbols of the Lutheran Church was to be designated—"symbolism" and "symbolists."

1) p. 4.

2) *Lehre u. Wehre*, 1862, p. 152.

The terms really were not of American mintage; they were imported from Germany. But they were vigorously applied by Lutherans who otherwise prided themselves on their sterling "Americanism" and were apt to treat everything foreign with a condescending pity — they were applied by these Lutherans to the Missourians because of their consistent confessionalism, which was felt by outsiders to be so thorough-going and pronounced that they declared it the Missouri Synod's "system."

The term "symbolism" was meant as an opprobrium: its intended signification was that the Missourians were overstating the necessity of the Confessions of the Lutheran Church. It is, therefore, both reassuring and instructive to the present generation of Missourians to know the exact position of the founders of the Missouri Synod on the question of the *necessity* of the Lutheran Confessions. The evidence before us shows that at no time has their zeal in behalf of the Confessions led the teachers of the Missouri Synod to the extreme of claiming for the Confessions an *absolute* necessity — a necessity that would imply that for the preservation of the Church and the salvation of souls the Holy Scriptures are insufficient. In their view the Lutheran Confessions, as well as confessions in general, are emergency measures, conditioned upon circumstances arising in the life of a churchly society. Their chief use was for purposes of defense: over against false teachers, who appealed to Scripture as they proposed to interpret it, the Church by means of a public confession declared what the true meaning of the Scriptures on a given doctrinal matter is, and has always been held to be by true believers. If there had never been any false teachers, there would have been no need of Confessions.

In the official literature of the Missouri Synod this point was made clear at a very early time.³⁾ In 1849 Walther published an article, inscribed, "Why Must We Cling Firmly, Even in Our Day, to the Confessional Writings of Our Evangelical Lutheran Church?" In this article he said: —

"Beloved, believe not every spirit, but try the spirits whether they are of God; because many false prophets are gone out into the world,"⁴⁾ that is the pathetic utterance of the Apostle John

3) *Der Lutheraner* had become the property of the Synod by gift of Prof. Walther at the session of the First Convention on Tuesday, April 27, 1847. Walther was asked to continue his editorship of the paper, and was given twelve assistants. See *Minutes*, p. 7 f.

4) 1 John 4, 1.

in his First Epistle, and at all times the Christian Church has had to reiterate this pathetic statement. As often as God had the wheat of His pure Word sown, He was promptly followed by the enemy, who sowed the tares of false doctrine at the same time. The deplorable consequence was that a multitude of factions arose within the Christian Church, which are distinguished and separated from one another by the different tenets which they hold and profess. Accordingly, the majority of these factions have laid down in writing certain confessions of faith, containing the teachings because of which they are separate from others and on the basis of which they have united all their members in a distinct ecclesiastical society. Now, the books containing such confessions of faith of entire factions in the Church have of old been denominated by the foreign term *symbols*, or *symbolical books*. This is a Greek word, and means as much as *standard*, or *watchword*. As soldiers by means of their standards and watchwords are able to distinguish friends and foes, even in disguise, so by means of his symbols, or public confessions of faith, a member of a party in the Church can easily distinguish those who are for or against his faith. . . .

“The doctrine contained in these [Symbolical] Books was first orally professed before the whole world by those who were first called Lutherans, and was then deposited in written form in these books for all time to come. On the basis of the doctrine contained in these books, and on no other, the first Lutherans became united, also externally, in ecclesiastical communions. On this basis, then, the Lutheran Church was founded, for from this doctrine it derives its origin, and by its means it is distinguished from all other parties and communions that exist within the Christian Church. Accordingly, any one who says: I want to be a *Lutheran*, pledges himself at the same time to the doctrines contained in the Symbolical Books of the Lutheran Church. And any one who declares that he wants to be a *Lutheran preacher* attests, not only that he regards the articles of faith contained in these books as true and right, but also that he is willing, by the grace and with the strength which God will grant him, to preach, defend, and spread these articles. On the other hand, whoever rejects the doctrine contained in the Symbols of the Evangelical Lutheran Church is not a real Lutheran, as little as a person rejecting anabaptism is an anabaptist, or one arguing against the teaching of Zwingli a Zwinglian, or one who rejects the Bible a Christian. For as Christians in

general are, by the *Bible*, distinguished from Mohammedans with their *Koran*, so a Lutheran Christian in particular is, by *his* Symbolical Books, distinguished from all other Christians with *their* symbols. . . .

“It is folly to oppose the Bible to the symbols. The Bible is, so to speak, God’s pledge to us, while the symbols are our pledge to God. The Bible represents God’s appeal to men: Do you believe My Word? The symbols are men’s answer: Yes, Lord, we believe what Thou hast spoken. The Bible is the mine in which all the treasures of the wisdom and knowledge of God are hidden; the symbols are the treasure-houses in which, as in a spiritual store-house and armory, the Church has deposited the treasures which in the course of centuries were, with much labor, dug from the Bible-mine and brought to light. The Bible with its teachings is God’s manuscript concerning our salvation, which Satan ever strives to falsify and to declare spurious; the symbols contain the documents which the Church has appended to show that the doctrines of the Bible have at all times been believed and maintained. The Bible is the revealed Word of God itself; the symbols are the correct understanding of the Word, which God has given to His Church.”⁵⁾

This teaching Walther maintained consistently in his classes at the Seminary in St. Louis. Before his *Annotated Baier* — the compend of dogmatics used at the Seminary — was published in 1879, the students took down in writing the citations from the works of the leading Lutheran dogmaticians, by means of which Walther sought to expand the expositions of Baier’s *Compendium*. The selection of these citations shows Walther’s dogmatical aim. In his *Prolegomena* Baier asserts canonical, or normative, authority for the Scriptures alone, and says: “Hence, when our Symbolical Books are sometimes called a norm or normative books, the term ‘norm’ is not taken in the absolute, but in a contingent sense (*secundum quid*), or the statement is added that they are a secondary, or normated, norm, that is, a norm less properly so called.”⁶⁾ To this statement Walther added the following statements from Carpzov’s and Walch’s *Introductions to the Symbolical Books of the Lutheran Church*.

Carpzov: “The Symbolical Books were not written in the same manner in which the Biblical writers prepared their canonical

5) *Der Lutheraner*, January 22, 1849, pp. 81. 82.

6) *Compend. Theol. Pos.* Vol. I, p. 139.

writings, by an impulse divinely inspired, nor are they of absolute necessity, and needed because of the insufficiency of the canon of Scripture, as Bellarminus (l. 4. *De Verbo Dei*, c. 4) criticizes the books of the Bible for omitting a catechesis.⁷⁾ But they were written for another reason, namely, from a necessity which in the schools is called a necessity of expediency, that is to say, for the purpose of confining the debates of ingenious men within proper bounds, of heading off offenses to those of a weak faith, and of making the trickiness and malice of heretics manifest. . . . Any document composed from Scripture, according to Scripture, and after Scripture (*ex Scriptura et ad ac secundum eam*) is not a *principium*, but a *principiatum*.”⁸⁾ We must admit, indeed, that even our Symbolical Books⁹⁾ come under the designation of a norm, and that this name is given to the Symbolical Books of our Church. However, the terms *principium* and *norma* are not simply and properly used as synonyms by the authors of the Preface. *By agreement something can be referred for direction and judgment to a ‘principiatum,’ and the latter may for that reason deserve to be called a norm.* And thus the word ‘norm’ is taken in the Preface to the Book of Concord, and by writers in the primitive Church, for example, when the Ecumenical Creeds, and especially the Apostolic, . . . are by the fathers called *kanon tes aletheias aklines*, ‘the unbending rule of truth’ (Irenaeus, l. 1, c. 1, § 19), ‘the immovable rule of faith’ (Tertullian), ‘the norm for preaching that has been set up uniformly throughout all nations’ (Rufinus and Venantius Fortunatus), ‘the sure rule of faith by which believers maintain catholic unity and convict heretical badness’ (Augustine, *Serm. de Temp. Hom.* 181). And thus in the place before us now the term ‘norm’ signifies nothing else than a principle for knowing something, by which we are guided to the knowledge of any conclusion or question regarding which there is a difference of opinion. A principle of this kind is even that which is dependent upon something else and established from another source, as Aristotle shows (l. prior. analyt., c. 2. 8). Hence the symbol is not a norm in the absolute and categorical sense, but in reference to certain churches that presuppose the truth and reliability of the symbol to have been established from Scripture.

7) A brief exposition of doctrine.

8) Not a determining principle, but something that is itself determined, or regulated, by something else.

9) Preface to *Book of Concord*, St. Louis Triglot Ed., p. 22 f.

However, while it cannot be denied that by means of this terminology there has been ascribed to the Symbolical Books the character of *a norm not only for distinguishing, but also for defining objects*, still those who have thus used the term have done so with the consciousness of a very great difference that exists in this matter . . . and have regarded the Symbolical Books only as secondary norms, after the manner of postulates which need to be proved true themselves, but, having been proved from another source, are admitted in the schools as certain and unquestioned."

Again: "The authors of the Book of Concord do not deny that Scripture alone is the only norm to which all dogmas must be referred back and in accordance with which they must be judged; . . . still they do not deny that in a manner and in a certain sense even these [symbolical] writings are a norm. . . . *They ascribe more to them than the mere quality of testimonies.* . . . However, when a symbolical book is called a *norm* and model of doctrine according to which, etc., this is understood only in a contingent sense, because of a certain external analogy, which consists in this, that also by this norm a judgment and estimate of something may be formed, although this norm is not the principle underlying the object that is being judged and estimated. This happens when the question is not regarding the truth of a doctrine, but regarding its reception, flourishing condition, and approbation in a certain church, for instance, whether the Flacian dogma of original sin has ever been received and approved by the Lutheran Church; whether the teaching of Flacius is in harmony with the teaching that has been handed down since the beginning of the Reformation and received in the Lutheran Church. Thus, then, a symbolical book is called a norm, not of faith itself, but of the profession of faith, and that, not of the entire faith, but only of certain controverted heads of doctrine as these, moreover, are being perpetuated in certain churches. . . . Our theologians have not put a symbolical book on a level with the absolute norm, but have ascribed to their symbolical book what comports with the nature and character of such a book, and have set up no extreme claims for it. For they wanted their symbolical book to be 1) a testimony showing how the doctrine of faith was apprehended and was being publicly taught as drawn from the Word of God; 2) a safeguard against license in phraseology that was to keep within fixed bounds especially the teachers when speaking of and preaching doctrine in our churches; 3) *a standard by which the writings of others*

could be tested, not as to their truth or falsity, for that must be established from Scripture alone, but as to their agreement with the doctrine that was received by the Lutheran Church from the beginning and handed down to posterity; 4) a means for keeping the simple members of the Church from spurious writings of others by which the purity of the doctrine once received was disturbed; 5) a receptacle in which the sacred deposit of the pure teaching of Luther might be transmitted to remote posterity."

G. Walch: "The *primary* norm is that which of itself and by its own quality has normative power; a *secondary* norm, however, is one which is endowed with normative power, not of itself, but by the authority of Holy Scripture and because of its agreement with the same. The secondary norm, therefore, is dependent upon the primary. . . . Others, who do not like these distinctions formulated by our theologians, distinguish between a *norma decisionis* and a *norma discretionis*. The former is to be that self-authenticating and plainly infallible principle in whose decision both sides to a controversy must acquiesce; the latter, however, does not definitely settle a controverted question, but divides the orthodox from the heterodox, and shows who are siding with the pure doctrine. . . . Wernsdorf holds that the symbols could be called *norma cognitionis*, in the sense that they are a kind of principle by the aid of which we can attain to the knowledge of certain truths. It seems, however, that this function should be accorded to the norm of Scripture. . . . On reflection, any one will easily understand that the symbols should be called *norma cognitionis* when the knowledge in question does not refer to truth itself and its foundation, but to the profession of truth. The symbols are *norma cognitionis* inasmuch as we can see from them which teachings are peculiar to a certain church. Accordingly, when the question is whether this or that doctrine is *Lutheran*, this point must be ascertained from the symbols, and for this ascertainment the symbols are the norm. But if the question is whether this or that doctrine is true or false, this point, surely, must not be ascertained by taking the symbols as the norm, but from Holy Scripture."

Walther's grounds and method of appraising the value of the Lutheran Symbols were eloquently stated in connection with the anniversary of the Formula of Concord in 1877, when he wrote: "The symbols of an orthodox Church are, as the Formula of Concord states, 'a comprehensive, unanimously approved summary and form wherein is brought together from God's Word the common

doctrine, reduced to a brief compass, which the churches that are of the true Christian religion confess, . . . moreover, . . . this comprehensive form of doctrine should not be based on private writings, but on such books as have been composed, approved, and received in the name of the churches which pledge themselves to one doctrine and religion.'¹⁰) Individual teachers of the Church who were specially gifted and enlightened have given masterful explanations of doctrines and convincing proofs for the same from God's Word. Moreover, they have with great ingenuity unmasked, and thoroughly refuted, soul-destroying errors that were making a great show in the Church. These labors of theirs they deposited in their private writings and bequeathed them to posterity. Now, if even these writings are imperishable treasures that cannot be balanced by all the gold in the world, how much more declarations which an entire orthodox Church has publicly delivered in behalf of the truth and in opposition to error! These declarations deposited in written form as a testimony for all time to come are so great a treasure that words fail to describe it. Woe to a church which has inherited from a former orthodox Church a pure confession of doctrine, which represents the trophy of severe conflicts, sterling gold of truth tried seven times in the furnace of fierce afflictions, and casts such a heritage aside as antiquated rubbish, as worthless refuse, as unripe grapes, or leaves it lie in the dust unused! It is, indeed, true that the symbolical writings are not, as some have claimed, of absolute necessity, nor are they supplements of an insufficient norm. But their necessity, as has at all times been asserted and attested by the orthodox teachers of our Church, is of a hypothetical nature, — a so-called necessity of expediency, produced by existing circumstances. (Cf. *Carpzovii Isag.*, p. 5.) Nevertheless the Confessions of the orthodox Church, next to the written Word of God, are the most valuable written documents which the grace of God has bequeathed to the Church in later ages. They deserve, indeed, that after the expiration of another century since this treasure was bequeathed by the Lord, a jubilee be instituted by the Church, and fervent and humble thanks be rendered, jointly and publicly, to the Lord for the gift and gracious preservation of these treasures."¹¹)

Interesting, too, is Walther's method of explaining these truths,

10) *Concordia Triglossa*, p. 849 f.

11) *Lehre u. Wehre*, 1877 (preface), p. 4.

which he had expounded with an array of learning to the theologians, at a synodical convention before laymen. He was leading the doctrinal discussion at the first convention of the Iowa District in 1879, and spoke on "The Principal Duties of a Synod That is Entitled to the Name Evangelical Lutheran." He said:—

"Perhaps some one might be surprised that we have not named fidelity to God's Word as our first main duty. Let us reflect a moment: by pledging loyalty to the Word of God a synod attests its purpose to be a *Christian* synod. However, if the object is to attest the fact that a synod is *Lutheran*, it must make the Confession of the Lutheran Church *its own* confession. To be sure, by doing this the synod at the same time pledges, in full earnest, loyalty to God's Word. For our Confessions demand before all else a pledge of loyalty to the Word of God.

"Even in apostolic times it was deemed necessary to set up a confession. We have the Apostles' Creed in our Catechism. It seems that originally this Creed was propagated by oral tradition. Every Christian knew it, and it was not written down until a later period. But it is a testimony for all times that the wisdom of the apostles deemed a symbol necessary for the Church. Such was the case especially when false brethren had crept into the Church, as happened in the congregations in Galatia, and when such men as Simon the sorcerer obtained admission to the society of the believers. These people fully pledged themselves to the Christian doctrine, to the entire Old Testament, and to the written documents of apostolic origin then in existence. But they misinterpreted them. Accordingly, when a person in those days wished to be received into the Christian Church, he was not merely asked: Do you regard the Christian doctrine as correct? Do you believe all of it? For while making such a profession a person might still be a rogue at heart and connect a different meaning with the Christian doctrine. Accordingly, he was asked: Do you believe in God the Father, Son, and Holy Ghost? He was not received until he had accepted the entire Creed as his own. This Creed proved sufficient during the first three centuries, until heretics arose, *e. g.*, Arius, Nestorius, Eutyches, Pelagius, who seemingly professed in full earnest that they accepted all apostolic writings in their proper and genuine sense, but who understood everything in a sense different from that of the Christian Church. Against these men the Nicene and Athanasian Creeds were formulated.

Not until a later age, when Antichrist had occupied his seat in the Christian Church, did these efforts to oppose symbols to rising heresies gradually cease. For the Pope, the Antichrist, with his creatures, claimed to be the living symbol. What is the need of symbols? he said. You have only to ask me, and I shall decide what is truth. Now, the precious doctrines contained in the Apostles' Creed, and, in general, in the Ecumenical Creeds, have indeed been preserved even in the midst of popery; but that proves the paramount importance of these symbols. Antichrist had deprived the poor Christians of the Bible, but he could not take from them the symbols, especially the Apostles' Creed; for they knew that by heart. He did not dare to declare against this Creed, for he was afraid of exposing himself. Not until we enter the life everlasting shall we see of what importance it has been that the three Ecumenical Creeds subsisted while Antichrist ruled in the Church. No matter how many horrible errors he launched, he could not unsettle the truths expressed in those Creeds in the hearts of all those who were at all concerned about the truth and about salvation. At last God ushered in the Reformation; however, the truth proclaimed by Luther had hardly found its way among the Christian people, when God furnished an occasion which forced the Lutherans to confess their faith. They did this faithfully at the Diet of Augsburg in the year 1530. The Augsburg Confession was not by any means a writing composed by some private gentleman at his study for the purpose of setting up a norm of faith for Lutherans, but it was nothing else than a protocol of those matters which all Lutherans at that time believed without exception. In the true sense of the word it was the confession of Lutherans. The Papists undertook to refute it, but they refused to publish their refutation, because they strongly felt that they had not refuted the Lutheran Confession. This papistic Confutation furnished the occasion for publishing in the name of the Lutheran Church the Apology, that is, the Defense of the Augsburg Confession. Owing to the continuous urging of the Lutherans that a free Christian council should be summoned, in order that the entire Christian Church might render a judgment on the errors of the papacy, Luther was asked at a later time to formulate a confession which might be presented at a council in the name of the Lutherans. The Pope did summon a council to meet at Mantua, but his action was mere sham. He knew that he was lost, if the plan to hold a council of that kind carried. For the

separation which we behold now had not yet occurred at that time. After Luther's death critical controversies broke out even in the Lutheran Church. Everybody tried to be a Luther. For this reason the theologians of our Church who had remained faithful composed the Formula of Concord in 1577. This is the final general confession of our Church. However, since simple laymen cannot be expected to study the entire collection of our Confessions, it was decided to make the Small and the Large Catechism of Luther a confession of our Church, because these writings were known to all Lutheran people, and were regarded as books of sterling quality by them."

"Hence it is not because of the insufficiency of Scripture that the Confessions are necessary, but rather because many cite and appeal to the Holy Scriptures in a wrong sense; this compelled the orthodox to say to any one that wanted to side with them: You say, indeed, that you believe what is written in the Bible. However, many say the same, and still do not believe, but horribly pervert Scripture. Do you believe this and this, *viz.*, the teachings contained in our Confessions?"¹²⁾

This teaching on the relative necessity of the confessional writings of the Lutheran Church is echoed on every appropriate occasion by speakers in the Missouri Synod. We submit a few pertinent instances.

"This, then, is settled: God has shown us the right way in His Word, and we dare not put anything in the place of the Word. The Word is the rule and norm of faith for the individual Christian, as well as for Christian congregations and federations of the same. However, we meet with the difficulty that a host of men appeal to the Word, but interpret it in a manner entirely different from ours. They want to prove all their false doctrines from the Word. Hence it is absolutely necessary that Christians show what they regard as a correct interpretation of the Word. That is the reason why a public confession was presented, and this Confession was elucidated and confirmed from the Word of God. Accordingly, any one desiring to be a true Lutheran will say: We do not only in a general way pledge adherence to the Word of God, but also to the Confessions; for in these it is declared how we understand and interpret the Word. This means, not that we pledge adherence first to the Word and next to the Confessions, but that because

12) *Iowa Distr. Report, Mo. Syn., 1879, pp. 11—13.*

of our being pledged to the Word we pledge ourselves also to the Confessions, since they are nothing else than the correct interpretation of the Word." 13)

"The ancient religion whose doctrine was brought to light again and restored to its pristine purity is offensive to many; for this reason they oppose the old Confessional Writings which are the banner beneath which true Lutherans fight for the truth. They pretend that by means of the Symbolical Writings dividing walls are erected between men. Their cry is: Down with these barriers which block the way to Christian love! We Missourians are blamed for nothing so much as for our faithful adherence to the Symbolical Writings; for this reason we are called idolaters who are paying homage to a paper pope. Even such as wish to pass for Lutherans faithful to the Confessions have not hesitated to call the Missourians Talmudists, comparing us to the hardened Jews who are superstitiously devoted to the diabolical tenets of the Talmud. Why are these Confessional Writings needed? Why is the Bible not sufficient?—these questions we have been and are being asked quite seriously. There is no doubt that in the true Church Christ alone is the Master, and His Word alone must prevail. Nor do we place the Confessional Writings alongside of the Bible, much less above the Bible; nor do we claim that they are a law imposed on Lutherans. Nevertheless, the Symbolical Writings are a confession by which the true Church that lives its faith solemnly pledges allegiance to the doctrine of the pure Word and testifies that it intends to adhere to the pure Word of God." 14)

"The orthodox Church has had confessional writings from the beginning, not as though it had to have a norm of faith besides the Scriptures, or as equivalent or superior to the Scriptures, but its Confessional Writings and Confessions were meant only as the affirmation of Holy Scripture on the part of the orthodox Church over against the negation of errorists." 15)

13) Rev. Buehler at San Francisco, Cal., September 22—27, 1887; *Report of California-Oregon Distr.*, 1887, p. 29 f.

14) Rev. Chr. Hochstetter at Fisherville, Ont., September 13—17, 1894; *Canada Distr. Report*, 1894, p. 66 f.

15) *Western Distr. Report*, Mo. Syn., 1906, p. 84.
