

Concordia Historical Institute
Quarterly
16 (April, 1943) no. 1:1-18
Public Domain

Official Organ of the Concordia Historical Institute

801 De Mun Ave., St.. Louis, Mo.

Subscription, 60 cts. per copy, \$2.00 a year, payable strictly in advance
A subscription for the QUARTERLY included in the fees of membership in the Institute:
Active, \$2,00 per annum; Sustaining, \$5.00 per annum; Life, \$10.00, single payment

Vol. XVI

April, 1943

No. 1

Our First Synodical Constitution

When the various Protestant church bodies established themselves on American soil, particularly after the formation of these United States, it was necessary to draw up constitutions for the government of their respective groups. As most of these bodies had-formerly been state churches, they were confronted with difficult and far-reaching problems of church polity as they endeavored to plant their church groups in a country in which the Church is independent of the State. In the case of our own Synodical fathers and founders, with their insistence on strict adherence to Biblical command and precept, one of the chief problems in connection with their Synodical constitution was to safeguard the fundamental rights of the local congregation and at the same time to make the joint efforts of congregations, synodically bound together, practical and feasible. How well they succeeded is shown by the fact that fundamentally our Synodical constitution remains unchanged to this day.

It is well known that the preliminary meetings that led to the organization of Synod were held in Cleveland, St. Louis, and Fort Wayne, and that the Loehe men in Michigan and Ohio, Wyneken and his friends in Indiana, and the Saxons -in Missouri were the

groups involved in this effort to form a sound, orthodox Lutheran synod. At the Cleveland meeting, September, 1845, a number of Loehe men met with Wyneken and decided to send a delegation to St. Louis to confer with Walther and the Saxons. At this St. Louis meeting, held in May, 1846, the propositions for an Evangelical Lutheran Synodical constitution were drawn up: At the third meeting in Fort Wayne - July of the same year - this tentative draft of a constitution was further studied, and the definite draft of a Synodical constitution was agreed upon, which then became official at the organization meeting in Chicago in April, 1847.

The Concordia Historical Institute has in its archives a copy of the propositions drawn up in May, 1846; perhaps, it is the original. In the following pages we are giving them in English translation, in parallel columns, with an English translation of the first Synodical constitution. The translations were prepared by Mr. Ray Suelflow, our assistant curator. We believe that these documents will be of value and interest not only to the student of church polity, but also to many others in our circles, since at the present time Synod has a committee at work revising our *Synodical Handbook*, and we understand that a report of this committee will soon be issued.

W.G.P.

Propositions for an Evangelical Lutheran Synodical Constitution

- I. Reasons for forming a synodical organization.
1. The apostolic example. (Acts 15).
 2. To preserve the unity of pure confession (Eph. 4:3ff.) and to provide common defense against separatism and sectarianism (Rom. 16: 17).
 3. The establishment of unity in church government and its execution, and the largest possible -similarity in ceremonies.
 4. The will of the Lord that the diversities of gifts be used for the common good. (1 Cor. 12:4-31.)
 5. To make possible the promotion of common church projects. (Seminary, agenda, hymnal, Book of Concord, schoolbooks, Bible distribution, mission projects within and outside the Church.)

Constitution of the German Evangelical Lutheran Synod of Missouri, Ohio, and Other States

- I. Reasons for forming a synodical organization.
1. The example of the apostolic Church. (Acts 15:1-31.)
 2. The preservation and furthering of the unity of pure confession (Eph. 4:3-6; 1 Cor. 1:10) and to provide common defense against separatism and sectarianism. (Rom. 16:17).
 3. Protection and preservation of the rights, and duties of pastors and congregations.
 4. The establishment of the largest possible conformity in church government.
 5. The will of the Lord that the diversities of gifts be used for the common good. (1 Cor. 12:4-31.)

II. Conditions under which a congregation may join Synod and remain a member.

1. Acceptance of the Holy Scriptures, both the Old and New Testament, as the written word of God and as the only rule and norm of faith and life.
2. Acceptance of all the symbolical books of the Evangelical Lutheran Church (these are the three Ecumenical Symbols, the Unaltered Augsburg Confession, the Apology, the Smalcald Articles, the Large and the Small Catechism of Luther, and the Formula of Concord) as the pure and unadulterated explanation and presentation of the Word of God.
3. Separation from all commixture of Church or faith, as, for example, serving of mixed congregations by a servant of the Church; taking part in the service and Sacraments of heretical or mixed congregations, taking part in any heretical tract distribution and mission projects, etc.
4. The exclusive use of doctrinally pure church books and schoolbooks. (Agenda, hymnals, catechism, readers, etc.)
5. Proper (not temporary) calling of the pastors and orderly election of congregational delegates by the congregation. The life of both minister and delegate must be beyond reproof.
6. Provision of a Christian education for the children of the congregations.

6. The unified spread of the kingdom of God and to make possible the promotion of special church projects. (Seminary, agenda, hymnal, Book of Concord, schoolbooks, Bible distribution, mission projects within and outside the Church.)

II. Conditions under which a congregation may join Synod and remain a member.

1. Acceptance of Holy Scripture, both the Old and the New Testament, as the written word of God and as the only rule and norm of faith and life.
2. Acceptance of all the symbolical books of the Evangelical Lutheran Church (these are the, three Ecumenical Symbols, the Unaltered Augsburg Confession, the Apology, the Smalcald Articles, the Large and the Small Catechism of Luther, and the Formula of Concord) as the pure and unadulterated explanation and presentation of the Word of God.
3. Separation from all commixture of Church or faith, as, for example, serving of mixed congregations by a servant of the Church; taking part in the service and Sacraments of heretical or mixed congregations; taking part in any heretical tract distribution and mission projects, etc.
4. The exclusive use of doctrinally pure church books and schoolbooks. (Agenda, hymnals, readers, etc.) If it is impossible in some congregations to replace immediately the unorthodox hymnals and the like with orthodox ones, then the pastor of such a congregation can become a member of Synod only if he promises to use the unorthodox hymnal only under open protest and to strive in all seriousness for the introduction of an orthodox hymnal.
5. Proper (not temporary) calling of the pastors and orderly election of congregational delegates by the congregation. The life of both minister and delegate must be beyond reproof.
6. Provision of a Christian education for the children of the congregations.

7. Exclusive use of the German language in the synodical conventions.

7. Exclusive use of the German language in the synodical conventions. Only guests may use a different language if they cannot speak German.

8. Strangers cannot become members of Synod unless they can prove themselves to be thoroughly, orthodox in respect to doctrine and, life.

III. External organization of Synod.

III. External organization of Synod.

1. The synodical personnel is made up of the ministers of the Church and the delegates of the congregations. Each congregation has the right to elect one delegate

1. The synodical personnel is made up of the ministers of the Church and the delegates of the congregations. Each congregation has the right to elect one delegate. If pastors or delegates are absent for a good reason they may in a particular case deliver their vote in writing.

2. The above-mentioned members of Synod elect out of their number by majority vote a president, a vice-president, a secretary, and a treasurer, who are to hold office for three years. The first three are to be pastors, but the treasurer may be a layman.

2. The above-mentioned members of Synod elect out of their number by majority vote a president, a vice-president, a secretary, and a treasurer, who are to hold office for three years. The first three are to be pastors, but the treasurer may be a layman.

3. Advisory members are those orthodox pastors not empowered to vote by their congregations, and all candidates for the ministry and teachers.

3. Advisory members are those orthodox pastors not empowered to vote by their congregations, and all candidates for the ministry and the teaching profession, and all representatives of congregations of Synod besides the delegates.

4. All synodical conventions are conducted publicly.

4. All synodical conventions are conducted publicly. Yet Synod can make an exception to this rule if it is found to be necessary or if a request to that effect is made.

5. The pastors of Synod are to take advantage of the time between synodical conventions to hold a pastoral conference.

5. The pastors of Synod are to take advantage of their presence at the synodical convention also for holding a pastoral conference.

6. The synodical convention will be held once each year.

6. The synodical convention will be held once each year.

7. Several times during the convention various members of Synod are to preach on topics assigned to them by the President at least three months in advance.

7. Several times during the convention various members of Synod are, to preach on topics assigned to them by the President at least three months in advance.

8. Matters of doctrine and of conscience will be decided by the Word of God alone. All other decisions will be made by a majority of votes. In case of a tie vote, the President casts the deciding vote.

8. Matters of doctrine and of conscience will be decided by the Word of God alone. All other decisions will be made by a majority of votes. In case of a tie vote, the President casts the deciding vote.

IV. Business of Synod.

1. To stand guard over the purity and unity of doctrine and to oppose false doctrine within the synodical circle.
2. Supervision over the performance of the official duties on the part of the pastors and teachers of Synod.
3. Common protection and extension of the church.
4. Publication and distribution of a church periodical.
5. Conscientious examination of candidates for the ministry and teaching profession.
6. To provide for ecclesiastical ordination and induction into office.
7. The preparation of future preachers and teachers for service in the Church.
8. To provide for congregations without pastors, if the former apply to Synod.
9. To take over judicial cases, but only when Synod is asked to do so.
10. To strive after the greatest possible uniformity in ceremonies
11. To have concern for the faithful execution of all the duties of the ministry, especially of the truly evangelical cure of souls in all its branches; in this respect also to help advance sound catechumen in instruction above all, and especially with reference to the false doctrines of the prominent sects; also to institute and maintain catechizations every Sunday for the confirmed youth.
12. To support indigent congregations who are members of Synod, that they may obtain the regular service of a pastor.
13. To gather church statistics within Synod and also to start a chronicle of American Lutheranism.
14. To establish connections with the Lutheran Church in foreign countries, especially Germany.

V. Execution of synodical business.

1. Synod meets annually at the time and place agreed upon in the previous convention.

IV. Business of Synod.

1. To stand guard over the purity and unity of doctrine within the synodical circle, and to oppose false doctrine.
2. Supervision over the performance of the official duties on the part of the pastors and teachers of Synod.
3. Common protection and extension of the church.
4. Publication and distribution of a church periodical.
5. Conscientious examination of candidates for the ministry and teaching profession.
6. To provide for ecclesiastical ordination and induction into office.
7. The preparation of future preachers and teachers for service in the Church.
8. To provide for congregations without pastors, if the former apply to Synod.
9. To give theological opinions, also to settle disputes between single persons or between parties in the congregations. But the latter is to take place only in cases where all persons involved have applied to Synod for arbitration.
10. To strive after the greatest possible uniformity in ceremonies.
11. To have concern for the faithful execution of all the duties of the ministry, especially of the truly evangelical cure of souls in all its branches; in this respect also to help advance sound catechumen instruction above all, and especially with reference to the false doctrines of the prominent sects; also to institute and maintain catechizations every Sunday for the, confirmed youth.
12. To support indigent congregations who are members of Synod, that they may obtain the regular service of a pastor.
13. To gather church statistics within Synod and also to start a chronicle of American Lutheranism.
14. To establish connections with the Lutheran Church in foreign countries, especially Germany.

V. Execution of synodical business.

1. Synod meets annually at the time and place agreed upon in the previous convention. For exceptions see VI, A, 14. The annual synodical convention is never to last more than 10 days.

2. Synod is to open its sessions with hymn and prayer. Thereupon the names of the voting pastors and delegates present will be registered by the Secretary after their credentials have been examined and approved. Then the names of the advisory members will be listed and entered into the synodical register.
 3. Next the President delivers the opening address and reads the annual report.
 4. The President is to present a summary of the business which is to be taken up by the convention. Anyone who has business to be placed before Synod, is to present it to the President in writing four weeks before the convention. Only in exceptional cases may such business be presented to the President the day before the convention,
 5. To expedite the work of Synod, the President has the power to hand over to committees certain matters on which the committees are then to advise, report, and present resolutions to Synod regarding them. But in important cases Synod may object to this method of procedure.
 6. Every summarized report with its suggestions will first be presented to Synod for acceptance. If it is accepted, the matter is open for discussion. After careful weighing of all reasons pro and con, the vote shall be called by the President.
 7. Synod requires of the President to report on the visitations he has made by instruction of Synod, in the foregoing year, to supervise the pastors and teachers in respect to their doctrine, life, and performance of their duties. (Cf. VI, A, 5.) If it should happen that the President reports a pastor who after having been reprimanded several times by the President, and by the ministerium, yet continues in wrong doctrine or in an offensive life, then Synod in its entirety is to carry out the last step of discipline according to Matt. 18, 17.
2. Synod is to open its sessions with hymn and prayer. Thereupon the names of the voting pastors and delegates present will be registered by the Secretary after their credentials have been examined and approved. Then the names of the advisory members will be listed and entered into the synodical register.
 3. Next the President delivers the opening address and reads the annual report.
 4. The President is to present a summary of the business which is to be taken up by the convention. Anyone who has business to be placed before Synod, is to present it to the President in writing four weeks before the convention. Only in exceptional cases may such business be presented to the President the day before the convention.
 5. To expedite the work of Synod, the President has the power to hand over to committees certain matters on which the committees are then to advise, report, and present resolutions to Synod regarding them. But in important cases Synod may object to this method of procedure.
 6. Every summarized report with its suggestions will first be presented to Synod for acceptance. If it is accepted, the matter is open for discussion. After careful weighing of all reasons pro and con, the vote shall be called by the President.
 7. Synod requires of the President to report on the visitations he has made by instruction of Synod, in the foregoing year, to supervise the pastors and teachers in respect to their doctrine, life, and performance of their duties. (Cf. VI, A, 5.) If it should happen that the President reports a pastor who after having been reprimanded several times by the President, by the particular congregation, and by the ministerium, yet continues in wrong doctrine or in an offensive life, then Synod in its entirety shall make the last attempt to turn him from the error of his ways. If, having been thus reprimanded, he does not listen to Synod, he shall be expelled, and his congregations to carry out the command of Christ in Matt. 18, 17: "If he neglect to hear the church, let him be unto the as an heathen man and a

The president is also to report on the spiritual condition of the congregations visited. In this report is to be included whether the president found the congregational constitution, church or schoolbooks, to contain anything contrary to the confession of the true faith.

8. It is the duty of Synod to discuss and investigate in its annual convention which articles of church doctrine to emphasize or further especially, also against which heresies and weaknesses in life testimony is to be given and the manner in which this is to be done. In accordance with this, Synod is to pass judgment on the work of the editor of the synodical paper and to give him instructions for his future activity. In like manner also Synod is to discuss the needs of the spiritually neglected Lutherans and to supply such needs by supporting those men who out of free Christian love go out among these neglected Lutherans to prepare the way for the organization of sound Lutheran congregations. These visitors are to be trained for their work and examined as to their fitness before they go out, and commissioned with prayer and benediction. The Visitor is to keep a diary and is to submit to the President detailed reports, who is to include them in his annual report to Synod.

Synod also holds itself responsible, as much as it is able, to help in the conversion of the heathen. But in no wise shall Synod take part in the unionistic mission projects which are now prevalent.

publican." The President is also to report on the spiritual condition of the congregations visited. In this report is to be included whether the President found the congregational constitution, church or schoolbooks, to contain anything contrary to the confession of the true faith. While the president is visiting the congregations, he may through their board of elders call a congregational meeting.

8. It is the duty of Synod to discuss and investigate in its annual convention which articles of church doctrine to emphasize, or further especially, also against which heresies and weaknesses in life testimony is to be given and the manner in which this is to be done. In accordance with this, Synod is to pass judgment on the work of the editor of the synodical paper and to give him instructions for his future activity. In like manner also Synod is to discuss the needs of the spiritually neglected Lutherans and to supply such needs by supporting those men who out of *-free Christian* love go out among these neglected Lutherans to prepare the way for the organization of sound Lutheran congregations. These visitors are to be trained for their work and examined as to their fitness before they go out, and commissioned with prayer and benediction. The Visitor is to keep a diary and is to submit to the President detailed reports, who is to include them in his annual report to Synod.

Synod also holds itself responsible, as much as it is able, to help in the conversion of the heathen. But in no wise shall Synod take part in the unionistic mission projects which are now prevalent.

9. It shall be the duty of Synod to erect, support, and supervise institutions for the preparation of future pastors and teachers for service in the Church: These institutions may be of two kinds. In one kind the goal is to be a thorough theological training. In the other kind the goal is to be a predominantly practical training. However, until her ability shall be sufficient for this, Synod shall see to it that capable pastors out of

9. a. Synod is to have a standing examining commission, composed of the best theologians out of her midst, to examine the candidates for the ministry.
- b. The President of Synod is the chairman of this commission.
- c. Besides the chairman there shall be two other men on this board.
- d. The examinations shall be both oral and written. Written work is to be: a sermon on an assigned text, an essay on a dogmatical subject and one on church history, and finally a short autobiography and a trustworthy character testimonial.

Orally the examination is to contain the following: knowledge of and ability to explain Scripture, Christian doctrine, knowledge of the Symbolical Books and of the teachings of erring church bodies, knowledge of church history, especially Reformation history, and practical cure of souls. The candidate also has to deliver his sermon and hold a catechization. The examination is to be carried on in a public open meeting. The examiners above all are to see whether the candidate has a thorough understanding of the correct division of Law and Gospel (2 Tim. 2:15); also whether he is apt to teach; and whether he is sound in and convinced of the pure confession.

- e. The regular time for these examinations shall be on two consecutive days during the synodical convention. For special cases see VI, A, 8 below.
- f. In respect to the demands which are made of those being examined, there shall be two classes: to the first class belong those candidates who lay claim to a complete theological training. These are to be examined in Latin, except in certain fields, for which German is to be used. These are especially to be examined about their knowledge of the original languages of Holy Scripture. Under the

her midst shall take it upon themselves to train suitable young people for service in the Church.

10. a. For examining those who want to become candidates for the ministry, Synod is to appoint through the ministerium two examiners from the best theologians in her midst, to serve for three years. The President of Synod with two examiners constitutes Synod's examining commission, of which the President is chairman.
- b. The examinations shall be both oral and written. Written work is to be: a sermon on an assigned text, an essay on a dogmatical subject and one on church history, and finally a short autobiography and a trustworthy character testimonial.

Orally the examination is to contain the following: knowledge of and ability to explain Scripture, Christian doctrine, knowledge of the Symbolical Books and of the teachings of erring church bodies, knowledge of church history, especially Reformation history, and practical cure of souls. The candidate also has to deliver his sermon and hold a catechization. The examination is to be carried on in a public open meeting. The examiners above all are to see whether the candidate has a thorough understanding of the correct division of Law and Gospel (2 Tim. 2:15); also whether he is apt to teach; and whether he is sound in and convinced of the pure confession.

- c. The regular time for these examinations shall be on two consecutive days during the synodical convention. For special cases see VI, A, 8 below.
- d. In respect to the demands which are made of those being examined, there shall be two classes: to the first class belong those candidates who lay claim to a complete theological training. These are to be examined in Latin, except in certain fields, for which German is to be used. These are especially to be examined about their knowledge of the original languages of Holy Scripture. Under the

second class come those who have received a predominantly practical training for the holy ministry. These are to be examined by means of the German language.

g. After candidates have passed the examination, a detailed certificate of their abilities is to be prepared for them.

h. Candidates who desire to enter the examination are to make written application to the President six weeks in advance. They are to include a biography and certificate of morals. Thereupon the President is to send them the text of the trial sermon and the theme for their dissertation at least four weeks before the examination. These two written works the candidate is then to bring along to the examination. Candidates who have sufficient proof that they have successfully passed examinations of a recognized orthodox church body will not be required to submit to these examinations.

Candidates for the teaching profession are to be examined by the *pastor loci*, who is to prepare for the candidate a detailed certificate for presentation before Synod. The subjects in which they are to be examined are: knowledge of the Bible and understanding of Scripture; Christian doctrine, with particular reference to the Symbolical Books, especially the two Catechisms of Luther; church and Reformation history; German language; arithmetic; penmanship; geography; history; knowledge of the mother country; and music. Besides this the candidate is also to hold a catechization, which is also to be submitted in writing, as also a dissertation on some pedagogical topic assigned by the examiner.

10. Ordination and induction of newly called pastors shall be performed.

second class come those who have received a predominantly practical training for the holy ministry. These are to be examined by means of the German language.

e. After candidates have passed the examination, a detailed certificate of their abilities is to be prepared for them.

f. Those who desire to be examined are to make written application to the President six weeks in advance. They are to include a biography and certificate of morals. Thereupon the President is to send them the text of the trial sermon and the theme for their dissertation at least four weeks before the examination. The one to be examined is to bring these two written works along to the examination.

Candidates who have sufficient proof that they have successfully passed examinations of a recognized orthodox church body will not be required to submit to these examinations.

As regards those who wish to become candidates for the teaching profession, they are to be examined by the *pastor loci*, who is to prepare for the candidate a detailed certificate for presentation before Synod. The subjects in which they are to be examined are: knowledge of the Bible and understanding of Scripture; Christian doctrine, with particular reference to the Symbolical Books, especially the two Catechisms of Luther; church and Reformation history; German language; arithmetic; penmanship; geography; history; and music. Besides this the candidate is also to hold a catechization, which is also to be submitted in writing, as also a dissertation on some pedagogical topic assigned by the examiner. Every new teacher is to be inducted into his office by the *pastor loci*, in an open ceremony in the church and in the presence of the congregation.

11. Ordination and induction of newly called pastors shall be performed.

by the President in accordance with the restrictions placed on him in VI, A, 9. Ordinations are to be performed with at least one neighboring pastor assisting, and if possible before the respective congregation, with a ceremony in which the candidate promises to adhere to the Symbolical Books, and according to the formula of a recognized orthodox agenda.

The so-called licenses which are in use in this country are not given by Synod, because that is against Scripture and Church practice.

11. It shall be the duty of Synod to erect, support, and supervise institutions for the preparation of future pastors and teachers for service in the Church. These institutions may be of two kinds. In one kind the goal is to be a thorough theological training. In the other kind the goal is to be a predominantly practical training. However, until her ability shall be sufficient for this, Synod shall see to it that capable pastors out of her midst shall take it upon themselves to train suitable young people for service in the Church.

12. In case congregations which do not have a pastor apply to Synod for one, Synod is to have serious concern about providing faithful shepherds for them.

Should, however, the congregation be a mixed one (that is, consisting of Lutherans, Reformed, and so-called Evangelicals, or United (Evangelicals), Synod is not to turn down such an application immediately, Yet the honor of Christian honesty and in

by the President in accordance with the restrictions placed on him in VI, A, 11. Ordinations are to be performed with at least one neighboring pastor assisting, and if possible, before the respective congregation, with a ceremony in which the candidate promises to adhere to the Symbolical Books, and according to the formula of a recognized orthodox agenda.

Ordination shall be accorded only to him who has received a legitimate call from and to a particular congregation and who has by a previous examination been found to be sound in faith, fit to teach, and beyond reproof in his life. The so-called licenses which are in use in this country are not given by Synod, because they are against Scripture and proper church practice.

12. In case congregations which do not have a pastor apply to Synod for one, Synod is to have serious concern about providing faithful shepherds for them and is to suggest candidates to them for their vacant pastorates. Should, however, the congregation be a mixed one (that is, consisting of Lutherans, Reformed, and so-called Evangelicals, or United (Evangelicals), Synod is not to turn down such an application immediately. Yet the honor

tegrity, and the love of one's neighbor demand that such a congregation can be served by a pastor of Synod under the following conditions only:

- a. if the congregation declares that it will submit to the Word of God, as only the Lutheran Church does;
- b. if the congregation in accordance with this, and after instruction, confesses the true Scriptural doctrine of the Evangelical Lutheran Church, particularly that of the holy Sacraments and of the Office of the Keys; and rejects the contrary doctrine as unscriptural;
- c. if those people who were formerly not Lutheran will subscribe to this, that when they receive the Lord's Supper from the hand of a servant of the Lutheran Church, that thereby they openly step into fellowship with the Lutheran Church and thereby cease to be Reformed, so-called Evangelicals -or United (Evangelicals).

13. Synod, if asked to do so, will act as arbiter, and only then if do civil matters are involved and if the steps in brotherly admonition prescribed by Christ have not been passed over, and if especially the rules of Christian love and of church order are not omitted nor violated.

If Synod while in session is asked to act as arbiter, this shall be done by those present in convention if a thorough local investigation of the case is not necessary. If, however, such a demand is made upon the President (that he act as arbiter) between synodical sessions, the case shall then, if urgent, be settled by a committee appointed by the President.

14. Synod holds in accordance with the 7th article of the Augsburg Confession that uniformity in ceremonies is not essential; yet on the other hand Synod deems such a uniformity wholesome and useful, namely for the following reasons:

- a. because a total difference in outward ceremonies would cause those who are weak in the unity of doctrine to stumble;

of God, Christian honesty and integrity, and the love of one's neighbor demand that such a congregation can be served by a pastor of Synod under the following conditions only:

- a. if the congregation declares that it will submit itself unconditionally to the Word of God, as only the Lutheran Church does;
- b. if the congregation in accordance with this, and after instruction, confesses the true Scriptural doctrine of the Evangelical Lutheran Church, particularly that of the holy Sacraments and of the Office of the Keys; and rejects the contrary doctrine as unscriptural;
- c. if those people who ,were formerly not Lutheran will subscribe to this, that when they receive the Lord's Supper from the hand of a servant of the, Lutheran Church, that thereby they openly step into fellowship with the Lutheran Church and thereby cease to be Reformed, so-called Evangelicals or United (Evangelicals).

13. Only in such cases may one apply to Synod for a theological opinion or for a settlement of a current dispute if no civil matters are involved nor the individual rights of a congregation are encroached upon, nor in general the rules of Christian love and of church order are being passed over or violated.

If application to this effect is made to Synod while in session, this shall be done by those present in convention if a thorough local investigation of the case is not necessary. If, however, such a demand is made upon the President (that he give a theological opinion) between synodical sessions, the case shall then, if urgent, be settled by a committee appointed by the President.

14. Synod holds in accordance with the 7th article of the Augsburg Confession that uniformity in ceremonies is not essential; yet on the other hand Synod deems such a uniformity wholesome and useful, namely for the following reasons:

- a. because a total difference in outward ceremonies would cause those who are weak in the unity of doctrine to stumble;

b. because in dropping heretofore preserved usages the Church is to avoid the appearance of and desire for innovations;

Furthermore Synod deems it necessary for the purification of the Lutheran Church in America, that the emptiness and the poverty in the externals of the service be opposed, which, having been introduced here by the false spirit of the Reformed, is now rampant.

All pastors and congregations that wish to be recognized as orthodox by Synod are prohibited from adopting or retaining any ceremony which might weaken the confession of the truth or condone or strengthen a heresy, especially if heretics insist upon the continuation or the abolishing of such ceremonies.

Where private confession is in use, it is to be kept according to Article 11 of the Augsburg Confession. Where it is not in use, the pastor is to strive through teaching and instruction to introduce it. Yet in congregations where the total abolishing of general confession and absolution is hindered by unsurmountable obstacles, general confession may be kept along with private confession.

The desired uniformity in the ceremonies is to be brought about especially by the adoption of sound Lutheran agendas (church books).

15. Synod as a whole is to supervise how each individual pastor cares for the souls in his charge. Synod, therefore, has the right of inquiry and judgment. Especially is Synod to investigate whether its pastors have permitted themselves to be misled into applying the so-called "New -Measures" which have be-

b. because in dropping heretofore preserved usages the Church is to avoid the appearance of frivolity and a desire for innovations; and is, as much as possible, to exhibit outwardly its connection with the Church of all time.

c. because this is also required for the necessary purification of the Lutheran Church in America; that the emptiness and the poverty in the externals of the service be opposed, which, having been introduced here by the false spirit of the Reformed, is now rampant.

All pastors and congregations that wish to be recognized as orthodox by Synod are prohibited from adopting or retaining any ceremony which might weaken the confession of the truth or condone or strengthen a heresy, especially if heretics insist upon the continuation or the abolishing, of such ceremonies. To this belongs the breaking of bread in the Lord's Supper; the formula of distribution: Christ says; the taking of the consecrated bread and cup with the hands; the use of ordinary bread instead of the host except in an emergency; and others.

Where private confession is in use, it is to be kept according to Article 11 of the Augsburg Confession. Where it is not in use, the pastor is to strive towards introducing it.

The desired uniformity in the ceremonies is to be brought about especially by the adoption and use of sound Lutheran agendas (church books).

15. Synod as a whole is to supervise how each individual pastor cares for the souls in his charge. Synod, therefore, has the right of inquiry and judgment. Especially is Synod to investigate whether its pastors have permitted themselves to be misled into applying the so-called "New Measures" which have be-

come prevalent here, or whether they care for their souls according to the sound Scriptural manner of the orthodox Church.

come prevalent here, or whether they care for their souls according to the sound Scriptural manner of the orthodox Church.

Members of Synod, therefore, are to discuss especially, how to divide between Law and Gospel in the sermon as well as in private ministration, and how to make the application in respect to the different circumstances of the individual; also how to use the doctrines of the holy Sacraments and of the Office of the Keys as a comfort to the penitent sinner but as a warning to the secure; also how to deal with those of weak faith, with strangers, with those spiritually sick, with those who are tempted, with the depraved, with hypocrite, enthusiasts, possessed persons, sick people, and with dying persons.

Synod should ask the pastors what conditions are in their congregations in respect to Bible reading, family devotions, rearing of the children, announcing for Communion, church and Communion attendance, in respect to the selection and the use of the religious writings, and whether separatistic tendencies and inclination to conventicles are found in the congregations, and what their actual spiritual and moral conditions are.

Synod should ask the pastors what conditions are in their congregations in respect to Bible reading, family devotions, rearing of the children, announcing for Communion, church and Communion attendance, in respect to the selection and the use of the religious writings, and whether separatistic tendencies and inclination to conventicles are found in the congregations, and what their actual spiritual and moral conditions are.

16. Synod supports only such congregations for the maintenance of its pastor as are absolutely in need of it and as evince a sincere desire for partaking fully of the means of grace.

16. Synod supports only such congregations for the maintenance of its pastor as are absolutely in need of it and as evince a sincere desire for partaking fully of the means of grace.

17. Synod is to see to it that there is always available a good edition of the small Lutheran Catechism, based on the original text, and a book of the pertinent Scripture passages.

17.a. Synod is to see to it that a new edition of the original text of Luther's Small Catechism will be published, with explanation and a book of the pertinent Scripture passages.

A catechumen can be confirmed only if he can recite by heart at least the text of the Catechism, and if he understands it so well that according to 1 Cor.11:28 he is capable of examining himself.

b. A catechumen can be confirmed only if he can recite by heart at least the text of the Catechism and if he has been taught to understand the words so well that according to 1 Cor. 11:28 he is capable of examining himself.

Gifted catechumens are to be brought to the point, if possible, where they can prove with the clearest Scripture passages the doctrines of the Christian faith, and refute the wrong doctrines of the sects.

c. Gifted catechumens are to be brought to the point, if possible, where they can prove with the clearest Scripture passages every doctrine of the Christian faith and refute the wrong doctrines of the sects.

- d. If possible, 100 hours are to be used in confirmation instruction.
 - e. Finally, the pastor is to see to it that his catechumens have committed to memory a goodly number of church hymns, which can serve them well throughout life.
18. The pastors of Synod have the duty not to lose sight of the catechumens after their confirmation, but to take care of them especially, in a fatherly way; and for that reason among other things to arrange for public examinations in the Catechism on Sundays.
19. Synod requires that each pastor bring to the annual convention a written statement about:
- a. the condition in their parishes in the previous year, giving the number of souls, voting members, school children of the members as well as those of non-members;
 - b. the number of baptisms, confirmations, communicants, weddings, and burials of the past year;
 - c. Synod shall elect a pastor to collect a chronicle of the Lutheran Church in America, in which her most noteworthy achievements and movements as well as the conflicts and the influences which she experiences from the outside shall be recorded with the certification of Synod.
20. Synod is to elect a suitable man to correspond with the Lutheran Church in foreign countries, especially Germany. Besides this, Synod shall turn to two influential men in Germany with the request to enter into correspondence with them. The purpose of this correspondence is to keep alive a confraternity between the Church of this country and of foreign countries, through which it is to be attested and proved that the Church is but one in spirit, faith, doctrine, and confession at all times and places.

If possible, up to 100 hours are to be used in confirmation instruction. Finally, the pastor is to see to it that his catechumens have committed to memory a goodly number of church hymns, which can serve them well throughout life.

18. The pastors of Synod have the duty not to lose sight of the catechumens after their confirmation, but to take care of them especially, in a fatherly way; and for that reason among other things to arrange for public examinations in the Catechism on Sundays.

19. Synod requires that each pastor bring to the annual convention a written statement about:

- a. the condition in their parishes in the previous year, giving the number of souls, voting members, school children of the members as well as those of non-members;
- b. the number of baptisms, confirmations, communicants, weddings, and burials of the past year;

20. Synod is to elect a suitable man to correspond with the Lutheran Church in foreign countries, especially with the witnesses to the truth in Germany. The purpose of this correspondence is to keep alive a confraternity between the Church of this country and of foreign countries, through which it is to be attested and proved that the Church is but one in spirit, faith, doctrine, and confession at all times and places.

Synod shall elect a pastor to collect a chronicle of the Lutheran Church in America, in which her most noteworthy achievements and movements as well as her conflicts and the influences which she experiences from the outside shall be recorded, with the certification of Synod.

21. Synod recommends to the pastors the arranging for District pastoral conferences, which, if possible, are to be held twice a year.
22. For holding a legitimate synodical convention, it is necessary that the convocation be legal, and that at least one third of the voting members be present.
23. New officers will be elected at the end of that synodical convention in which the service of their predecessors comes to an end.
24. If pastors who have not been members of a recognized orthodox church body apply to Synod for membership, they shall first submit to a colloquy held by Synod and the examining commission.

VI. Rights and duties of the officers and other members of Synod.

The officers of Synod are to assume those rights only which are expressly assigned them by Synod, for all of which the officers are responsible to Synod as also for the fulfilling of their duties. Synod, therefore, may demand that the officers give an account of their official actions at any time.

A. *The President.*

1. He is to direct the course of the transactions in a synodical convention, so that all things will be done in an orderly manner.
2. When a vote is taken on a question which is riot a matter of conscience, the President has the deciding vote if an equal number are cast on either side, and if the matter cannot well be adjourned.
3. He has the power to appoint committees to take care of business which is before the convention. (Cfr. V, 5.)
4. He is to present to Synod without exception all overtures he receives.
5. At the end of every synodical convention he in conjunction with the examining commission is. to give each pastor, teacher, and candidate for either the ministry or teaching profession an assignment on-a theological or a pedagogical subject, which are to be submitted to the

21. Synod recommends to the pastors the arranging for District pastoral conferences, which, if possible, are to be held twice a year.
22. The presence of at least one third of the voting members of Synod is required for holding a legitimate synodical convention. If there are officers absent from a convention, temporary substitutes- shall be elected from the members present.
23. New officers will be elected at the end of that synodical convention in which the service of their predecessors comes to an end.

VI. Rights and duties of the officers and other members of Synod.

A. *The President.*

1. He is to direct the course of the transactions in a synodical convention, so that all things will be done in an orderly Christian manner.
2. When a vote is taken on a question which is not a matter of conscience, the President has the deciding vote if an equal number are cast on either side.
3. He is to appoint committees to take care of business which is before the convention.
4. He is to present to Synod without exception all overtures he receives.
5. At the end of every synodical convention he in conjunction with the examining commission is to give each pastor, teacher, and candidate for either the ministry or teaching profession an assignment on a theological or a pedagogical subject, which are to be submitted to the

President and the respective members of the commission at least three months before the next session of Synod and which are to be judged by the commission in the presence of the pastors.

6. He is to sign all examination and ordination certificates, and also all writings and documents going out in the name of Synod.
7. He is to exert all energy to visit each parish of Synod at-least once during his three years of office. At the annual synodical convention he is to deliver a report about this.
8. He has the chair in the committee assigned to examine candidates.
9. He is to ordain the called servants of the Church, with the help of neighboring pastors.
10. He has the power in an urgent emergency to execute the examination of a candidate for the ministry himself, or he may transfer the examination to a pastor of Synod who is fitted for this.
11. He may transfer his duties-at an ordination, if necessary, to any properly ordained pastor.
12. He is to give advice upon request even outside the synodical conventions.

B. The Vice-President

1. Upon request of the President, he is to take the President's place in all things.
2. In case of the death of the President, the Vice-President steps into the presidency till the time of service of the former is concluded.

President and the respective members of the commission at least three months before the next session of Synod and which are to be judged by the commission in the presence of the pastors.

6. He is to sign all examination and ordination certificates, and also all writings and documents going out in the name of Synod.
7. He is to exert all energy to visit each parish of Synod at least once during his three years of office. At the annual synodical convention he is to deliver a report about this.
8. He has the chair in the committee assigned to examine candidates.
9. He is to ordain the called servants of the Church, with the help of neighboring pastors.
10. He has the power in an urgent emergency to execute the examination of the candidates of theology himself, or he may transfer the examination to a pastor of Synod who is fitted for this.
11. He may transfer his duties at an ordination, if necessary, to any properly ordained pastor.
12. He is to give advice upon request even outside the synodical conventions.
13. In his supervisory capacity he is to follow strictly the written instructions which he has received from Synod for this purpose.
14. He has the power to call a special synodical session in urgent emergencies. He must, however, first have obtained the assent (to call a special session of Synod) of two thirds of the voting members of Synod. But if the special session does not permit of delay, the President is to call the session immediately, and it will then be legal if a full two thirds of the voting members are present. Moreover, the President is in every case first to have acquainted all members with the, purpose for calling a session.

B. The Vice-President

1. Upon request of the President, he is to take the President's place in all things.
2. In case of the death of the President, the Vice-President steps into the presidency till the time of service of the former is concluded.

C. The Secretary

1. He is to keep the minutes during synodical conventions.
2. He is to draw up all writings and documents of Synod and sign them.
3. He is to take care of everything which is to be published in the name of Synod.
4. He is to keep an accurate register of all members of Synod.
5. He is to keep a book of Synodical church statistics.
6. He is to take care of the synodical archives.

D. The Treasurer

1. He is to take care of all money matters in the name of and according to the instruction of Synod, for which he shall be held responsible to Synod.
2. He is to submit annual reports at the synodical conventions on receipts and expenditures.

E. Each individual member of Synod

1. Every member of Synod is to strive, in all seriousness, according to his calling, powers, and means, for the reaching of the synodical goal, namely, the very necessary preservation of the purity and unity of doctrine and the support and spread of the Church.
2. One can become a member of Synod only upon subscribing to the synodical constitution.
3. Only pastors and delegates empowered by the congregations are voting members. Both are to present their letter of introduction from their congregation, first, when they join Synod, and secondly, every time they appear at a convention.
4. The delegate of a congregation keeps his right to vote at a synodical convention, even though the pastor is not able to be present.
5. Every pastor and teacher who is a member of Synod is to pay at least one dollar annually into the synodical treasury. Pastors also, if possible, are to have freewill collections in their congregations for the synodical treasury. This money is to be used as follows:

C. The Secretary

1. He is to keep the minutes during synodical conventions.
2. He is to draw up all writings and documents of Synod and sign them.
3. He is to take care of everything which is to be published in the name of Synod.
4. He is to keep an accurate register of all members of Synod.
5. He is to keep a book of synodical church statistics.
6. He is to take care of the synodical archives.

D. The Treasurer

1. He is to take care of all money matters in the name of and according to the instruction of Synod.
2. He is to submit annual reports at the synodical conventions on receipts and expenditures and is to submit to an auditing by Synod or her officers at any time.

E. Each individual member of Synod

1. Every member of Synod is to strive, in all seriousness, according to his calling, powers, and means, for the reaching of the synodical goal, namely, the very necessary preservation of the purity and unity of doctrine and the support and spread of the Church,
2. One can become a member of Synod only upon subscribing to the synodical constitution.
3. Only pastors and delegates empowered by the congregations are voting members. Both are to present their letter of introduction from their congregation, first, when they join Synod, and secondly, every time they appear at a convention. If a congregation sends two or more pastors, they have only one vote together.
4. The delegate of a congregation keeps his right to vote at a synodical convention, even though the pastor is not able to be present. The same holds also vice versa.
5. Every pastor and teacher who is a member of Synod is to pay at least one dollar annually into the synodical treasury, Pastors also, if possible, are to have freewill collections in their congregations for the synodical treasury. This money is to be used as follows:

- | | |
|---|--|
| <p>a. to defray the general expenses of Synod (stationery, supplies, cost of printing synodical reports, postage, and the like);</p> <p>b. for advancement of church projects (founding and support of institutions for the preparation of future pastors and teachers and the like).</p> | <p>a. to defray the general expenses of Synod (expenses of the officers, stationery supplies, cost of printing synodical reports, postage, and the like);</p> <p>b. for advancement of church projects (founding and support of institutions for the preparation of future pastors and teachers and the like).</p> |
|---|--|
6. Every member of Synod is required to be regularly present at each synodical convention till its close. He who is absent twice consecutively without a valid written excuse will have his membership revoked.

St. Louis

May 20, 1846, the day before Ascension

VII. About changing the constitution.

Changes in and additions to the constitution may be made if they are not contrary to the propositions set forth in the second article of the present constitution and if all members of Synod, at the order of their congregations, to whom the matters have been presented a year in advance, unanimously adopt them. All proposed changes must be presented one year in advance to all congregations, and the vote for the changes must be unanimous.

Jesus Christ, the same yesterday, and today, and forever.
Hebrews 13:8