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Most Cited Cases

[Cited 21 times for this legal issue]

Watson v. Avery, 65 Ky. 332

RELIGIOUS SOCIETIES 12(2)

332 RELIGIOUS SOCIETIES

332k12 Ecclesiastical Tribunals

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Ky.,1867

The higher courts of the Presbyterian Church have not original jurisdiction of matters pertaining to the immediate government of a congregation; such government being primarily intrusted to "the session."

[Cited 17 times for this legal issue]

State ex rel. Watson v. Farris, 45 Mo. 183

Mo.,1869

The General Assembly of the Presbyterian Church, commonly known as the "Old School," combines within itself all the branches, executive, legislative, and judicial, of a complete government, and possesses extensive original and appellate jurisdiction; and its action in matters of purely ecclesiastical concern cannot be revised, modified, or impaired by the civil courts.

[Cited 15 times for this legal issue]

Mack v. Kime, 58 S.E. 184

Ga.,1907

The General Assembly of the Cumberland Presbyterian Church, under the constitution of that organization, has authority to determine whether the teaching, doctrines, and form of government of another organization are in accord with it, and, if found so, to unite with such organization upon such terms and under such name as the judgment of the General Assembly shall dictate.

[Cited 11 times for this legal issue]

Grosvenor v. United Soc. of Believers, 118 Mass. 78

Mass.,1875

The ministers and elders of the Society of Believers, commonly called "Shakers," have the power to expel members of the society, and where they expel a member for entertaining opinions and promulgating doctrines within the society at variance with the established belief and subversive of the organization, the courts have no power or jurisdiction in an action of tort for such expulsion to determine whether or not the opinions and doctrines of such expelled member were in fact inconsistent with the society's established belief.

[Cited 10 times for this legal issue]

Hatfield v. De Long, 59 N.E. 483

Ind.,1901

The court will enjoin an appellate tribunal of a religious society from expelling a member of the church on the charge of a spiritual offense, where it is shown that such tribunal was not organized in conformity with the laws of the church.

[Cited 6 times for this legal issue]

Western Conference of Original Free Will Baptists of N. C. v. Miles, 129 S.E.2d 600

N.C.,1963

An "ecclesiastical matter" is one which concerns doctrine, creed or form of worship of the church, or adoption and enforcement within a religious association of needful laws and regulations, and such matters are within province of church courts and their decisions will be respected by civil tribunals.

See publication Words and Phrases for other judicial constructions and definitions.

[Cited 6 times for this legal issue]

Murr v. Maxwell, 232 S.W.2d 219

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Mo.App.,1950

Where purely ecclesiastical matters are involved, such as the expulsion of church members, civil courts will not take jurisdiction unless property or civil rights are involved.

🟢 [Cited 6 times for this legal issue]

Stone v. Bogue, 181 S.W.2d 187

Mo.App.,1944

Controversies over theological questions are within exclusive jurisdiction of ecclesiastical courts, and civil courts are not concerned therewith.

🟡 [Cited 6 times for this legal issue]

Canovaro v. Brothers of Order of Hermits of St. Augustine, 191 A. 140

Pa.,1937

Membership in congregation and division, dismemberment or suppression of parishes are purely ecclesiastical matters subject to church rules and controlled by decisions of appropriate church tribunals in so far as they do not contravene civil law.

🟢 [Cited 6 times for this legal issue]

King v. Smith, 189 P. 147

Kan.,1920

Controversies in a church relating to the admission or expulsion of members, the retention or deposition of a pastor, and with reference to its organization and internal affairs, where no civil or property right is involved, are determinable by the church authorities according to the laws and usages of the church.

🟢 [Cited 6 times for this legal issue]

Wallace v. Hughes, 115 S.W. 684

Ky.,1909

Cumberland Presbyterian Constitution, § 25, after defining the jurisdiction of various courts, declared that such jurisdiction was limited by the express provisions of the constitution. Section 43 provided that the General Assembly should have power to receive and decide all appeals, to hear testimony against error in doctrine and immorality in practice injuriously affecting the church, to decide all controversies respecting doctrine and discipline, to authorize synods and presbyteries, and exercise similar power in receiving bodies suited to become constituents of the courts, and to superintend the affairs of the whole church. Confession of Faith, §§ 110, 111, also provided for the existence of church courts and their jurisdiction. Held, that the constitution should be treated as a limitation, and not a grant of power, and hence the various church judicatories had all the ecclesiastical powers of the church, except as limited by the constitution.

🟢 [Cited 6 times for this legal issue]

Farnsworth v. Storrs, 59 Mass. 412

Mass.,1850

Churches have authority, to which every member by entering into the church covenant submits, to deal with their members for immoral and scandalous conduct; and, for that purpose, to hear complaints, to take evidence, to decide, and, upon conviction, to administer punishment by way of rebuke, censure, suspension, and excommunication.

🟢 [Cited 6 times for this legal issue]

Day v. Bolton, 12 N.J.L. 206

N.J.Sup.,1831

All disputes in the Reformed Dutch Churches, as to the validity of elections, the appointment or call of elders and deacons, must be referred to the church judicatory to which the congregation is subordinate. First to the classis; next to the particular synod; and, lastly, to the general synod.

🟡 [Cited 5 times for this legal issue]

Mangum v. Swearingen, 565 S.W.2d 957

Tex.Civ.App.-San Antonio,1978

When person becomes member of church, he thereby submits to its ecclesiastical jurisdiction in ecclesiastical matters and has no legal right to invoke supervisory power of civil court as long as none of his civil rights are involved.

🟢 [Cited 5 times for this legal issue]

Olear v. Haniak, 131 S.W.2d 375

Mo.App.,1939

An "ecclesiastical matter," within the province of church tribunals whose decisions will be respected by the civil courts, is one that concerns doctrine, creed, or form of worship of the church, or the adoption and enforcement within a religious association of needful laws and regulations for the government of the membership, and the power of excluding from such associations those deemed unworthy of membership by the legally constituted authorities of the church.

🟢 [Cited 5 times for this legal issue]

State ex rel. Johnson v. Tulane Ave. Baptist Church, 144 So. 639

La.App.,1932

Church authorities and tribunals they may set up for themselves are supreme in all spiritual matters and may arbitrarily expel individual from membership, as long as no civil rights are involved.

🟢 [Cited 5 times for this legal issue]

Hayes v. Manning, 172 S.W. 897

Mo.,1914

The purpose of a provision of the constitution of the Cumberland Presbyterian Church held to be to mark boundaries between the jurisdictions of the church courts, and not to deny implied authority.

🟢 [Cited 5 times for this legal issue]

Harris v. Cosby, 55 So. 231

Ala.,1911

Since under the constitution of the Cumberland Presbyterian Church, the General Assembly, with the consent of the presbyteries, had full power to conduct proceedings for union with the Presbyterian Church of the United States of America, such General Assembly being the highest judicatory in the church, it had power to determine that the proceedings to carry out the desired union had been legally and constitutionally conducted and that the union had been effectuated, notwithstanding the constitution of the church, being regarded as a grant, rather than a limitation of power.

🟢 [Cited 5 times for this legal issue]

O'Donovan v. Chatard, 97 Ind. 421

Ind.,1884

No action lies by a Catholic priest against his bishop for removing him from his office.

🟡 [Cited 5 times for this legal issue]

Robertson v. Bullions, 9 Barb. 64

N.Y.Gen.Tr,1850

No church judicatory, because of the deposition of the minister, can sequester the temporalities of the church, society, or corporation, nor, where the society has been incorporated under Act 1813, § 3, supply the pulpit temporarily, or otherwise, against the will of the trustees.

🔴 [Cited 4 times for this legal issue]

Moorman v. Goodman, 157 A.2d 519

N.J.Super.A.D.,1960

As to spiritual matters and administration of spiritual and temporal affairs of a church not affecting civil rights of individuals or property of the corporation, ecclesiastical courts and governing bodies of the religious society have exclusive jurisdiction and their decisions are final.

🟢 [Cited 4 times for this legal issue]

Murr v. Maxwell, 232 S.W.2d 219

Mo.App.,1950

Under rule that where purely ecclesiastical matters are involved, such as the expulsion of church members, civil courts will not take jurisdiction unless property or civil rights are involved, an injunction restraining defendants from excluding plaintiffs from membership in church was error, where no property or civil rights were involved.

🟢 [Cited 4 times for this legal issue]

Parker v. Harper, 175 S.W.2d 361

Ky.,1943

Controversies of a doctrinal or theological nature and disciplinary measures affecting individual membership in any

congregation of worshipers are left strictly to the ecclesiastical judicature, and it is only when a controversy involves a civil or property right that a secular court will exercise its power.

🟢 [Cited 4 times for this legal issue]

Turbeville v. Morris, 26 S.E.2d 821

S.C.,1943

Matters of a purely ecclesiastical nature are to be determined by church tribunals alone and matters purely of property rights, by the civil court alone.

🟡 [Cited 4 times for this legal issue]

Grantham v. Humphries, 188 So. 313

Miss.,1939

The church authorities and such tribunals as they may set up for themselves are supreme in ecclesiastical matters.

🟡 [Cited 4 times for this legal issue]

Krecker v. Shirey, 30 A. 440

Pa.,1894

The general conference of the Evangelical Association of North America, which met at Indianapolis in 1891, was held, to be the regular and duly constituted general conference of that body, and those who adhered to such general conference and submitted to its authority were held to constitute the Evangelical Association.

🟢 [Cited 4 times for this legal issue]

Stack v. O'Hara, 98 Pa. 213

Pa.,1881

By the laws and customs of the Roman Catholic Church in the United States, a priest is liable to be removed from the charge of a congregation at the pleasure of his bishop, without trial. He cannot, however, be suspended from his priestly functions without specific accusation and trial.

🟢 [Cited 4 times for this legal issue]

Remington v. Congdon, 19 Mass. 310

Mass.,1824

Churches have authority, to which every member by entering into the church covenant submits, to deal with their members for immoral and scandalous

conduct; and, for that purpose, to hear complaints, to take evidence, to decide, and, upon conviction, to administer punishment by way of rebuke, censure, suspension, and excommunication.

🟢 [Cited 2 times for this legal issue]

Hatcher v. South Carolina Dist. Council of Assemblies of God, Inc., 226 S.E.2d 253

S.C.,1976

A purely ecclesiastical matter is to be determined by church tribunals alone, whereas matters purely of property rights are to be determined by the civil courts alone.

🟢 [Cited 2 times for this legal issue]

United Methodist Church v. St. Louis Crossing Independent Methodist Church, 276 N.E.2d 916

Ind.App.,1971

An ecclesiastical matter is one which concerns doctrine, creed or form of worship of church or adoption and enforcement within a religious association of needful laws and regulations for the government of membership and the power of excluding from such associations those deemed unworthy of membership by legally constituted authorities of the church.

🟢 [Cited 2 times for this legal issue]

Stewart v. Jarriel, 59 S.E.2d 368

Ga.,1950


Where there was no allegation to the contrary, it would be assumed that the Primitive Baptist Church was one with a congregational form of government and that the church itself, through a majority of its members, is the highest tribunal with jurisdiction to determine all differences between members upon questions of doctrine, custom, church government and practice of the church.

🟢 [Cited 2 times for this legal issue]

Hughes v. Grossman, 201 P.2d 670

Kan.,1949


Though disputes pertaining to theological questions and matters ecclesiastical in character are for decision by church itself according to its laws and usages, controversies involving civil or property rights come within jurisdiction of civil courts and are proper subjects for their consideration.

 [Cited 2 times for this legal issue]

Hughes v. Keeling, 198 S.W.2d 779

Tex.Civ.App.-Beaumont,1946


The civil courts ordinarily leave to church determination of questions of church discipline and government and limit exercise of their jurisdiction over church to determination and protection of property rights.

 [Cited 2 times for this legal issue]

Gibson v. Trustees of Pencader Presbyterian Church in Pencader Hundred, 20 A.2d 134

Del.Ch.,1941


Where property has been acquired by a society which constitutes a subordinate part of a general religious organization with established tribunals for ecclesiastical government, such tribunals must decide all questions of faith, discipline or ecclesiastical government.

 [Cited 2 times for this legal issue]

Post v. Dougherty, 191 A. 151

Pa.,1937


Membership in church congregation and division, dismembration, or suppression of church parishes are purely ecclesiastical matters subject to church rules and controlled by decisions of appropriate church tribunals in so far as they do not contravene law.

 [Cited 2 times for this legal issue]

Holwerda v. Hoeksema, 206 N.W. 564

Mich.,1925


Classis of Christian Reformed Church has jurisdiction to remove minister, deacons, and elders from their offices.

 [Cited 2 times for this legal issue]

Woodrum v. Burton, 107 S.E. 102

W.Va.,1921


The decision of association or councils of Baptist churches, whose form of government is purely congregational, that doctrines adhered to by a majority of the church membership conflict with the fundamental Baptist doctrinal beliefs, is not conclusive upon the question of the right of the minority to control the church property, unless the decision directly or impliedly is assented to by the parties interested, or accepted and adopted by a majority of the membership of the church present and participating in a church business meeting called for that purpose, upon due and sufficient notice. Such associations and councils are mere voluntary and advisory judicatories, and their findings have no conclusive effect.

 [Cited 2 times for this legal issue]

Rodgers v. Burnett, 65 S.W. 408

Tenn.,1901


Where a synod, with which a church is connected, has at its regular session decided that one of two rival factions is the true church, to the exclusion of the other faction, and has ordered a reorganization of the church by that faction and awarded to it the control of the church property, an executive committee of the synod cannot, after the close of the session, in the absence of some authority to be found in the constitution, rules, or laws governing the denomination, reconsider and reverse the action of the synod and recognize the other faction so as to enable it to recover control of the church property.

 [Cited 2 times for this legal issue]

Barrows v. Bell, 73 Mass. 301

Mass.,1856

Churches have authority, to which every member by entering into the church covenant submits, to deal with their members for immoral and scandalous conduct; and, for that purpose, to hear complaints, to take evidence, to decide, and, upon conviction, to administer punishment by way of rebuke, censure, suspension, and excommunication.


 [Cited 1 time for this legal issue]

Dial 800 v. Fesbinder, 12 Cal.Rptr.3d 711

Cal.App.2.Dist.,2004

A "beth din," sometimes transliterated from the Hebrew to "bet din" or "bais din," is a Rabbinic Court, an authoritative forum of Jewish law.


See publication Words and Phrases for other judicial constructions and definitions.

 [Cited 1 time for this legal issue]

Gospel Tabernacle Body of Christ Church v. Peace Publishers & Co., 506 P.2d 1135

Kan.,1973


Controversies over theological questions and matters ecclesiastical in character are to be determined by the authorities of the particular church involved according to its laws and usages, and ordinarily the civil courts are without jurisdiction to review or control the decisions of duly constituted church authorities.

 [Cited 1 time for this legal issue]

Murr v. Maxwell, 232 S.W.2d 219

Mo.App.,1950


Controversies over theological questions are within exclusive jurisdiction of ecclesiastical courts, and civil courts are not concerned therewith.

 [Cited 1 time for this legal issue]

Stewart v. Jarriel, 59 S.E.2d 368

Ga.,1950


All questions relating to faith and practice of the church and its members belong to the church judicatories to which the members have voluntarily subjected themselves.

 [Cited 1 time for this legal issue]

Presbytery of Bismarck v. Allen, 22 N.W.2d 625

N.D.,1946


An ecclesiastical body in making its decisions can interpret its own laws and pass upon its own procedure without court interference.

 [Cited 1 time for this legal issue]

Briscoe v. Williams, 192 S.W.2d 643

Mo.App.,1946


Ordinarily, ecclesiastical tribunals have exclusive ecclesiastical jurisdiction, and their decisions thereon are binding and not reviewable by civil courts.

 [Cited 1 time for this legal issue]

Kidwell v. Crawford, 182 S.W.2d 968

Ky.,1944


Controversies of a doctrinal or theological nature and disciplinary measures affecting individual membership, selection of congregation's pastor and church officers, what literature shall be used, hours of meeting, what persons shall be admitted to membership, and all such kindred matters, lie exclusively within jurisdiction of properly constituted authority of church itself, subject to exercise of jurisdiction by courts of equity in cases involving a diversion of church property to another denomination or to a group supporting doctrines fundamentally opposed to those of the complaining congregation.

 [Cited 1 time for this legal issue]

Carlson v. Fox, 31 S.E.2d 597

Ga.,1944


A controversy between factions of a church as to who represents consensus of church's supreme governing authority must be submitted to church's own supreme authority for determination.

 [Cited 1 time for this legal issue]

Gibson v. Trustees of Pencader Presbyterian Church in Pencader Hundred, 20 A.2d 134

Del.Ch.,1941


Ordinarily which of two contending groups in a religious congregation represents the true faith is for the superior judicatory of the organization with which the local congregation is associated and not for the courts.

 [Cited 1 time for this legal issue]

Baxter v. McDonnell, 45 N.Y.S. 765

N.Y.A.D. 2 Dept.,1897


An ecclesiastical court has jurisdiction of property rights only when they are dependent on questions of doctrine, discipline, or church government.

 [Cited 1 time for this legal issue]

Smith v. Pedigo, 33 N.E. 777

Ind.,1893


The courts of this State have no ecclesiastical jurisdiction, and will not decide questions of ecclesiastical law, except where such law becomes a fact upon which the property-rights of religious societies, corporations, or churches depend.

 [Cited 0 times for this legal issue]

Smith v. Calvary Christian Church, 592 N.W.2d 713

Mich.App.,1998


Where the plaintiff does not withdraw the plaintiff's church membership during the disputed conduct or activity, the Church retains full subject matter and personal jurisdiction to adjudicate the disciplinary cases against the parishioner.

 [Cited 0 times for this legal issue]

Smith v. Calvary Christian Church, 592 N.W.2d 713

Mich.App.,1998

Parishioners must positively act to withdraw membership if they intend church jurisdiction to cease in church disciplinary matters.

 [Cited 0 times for this legal issue]

Gibson v. Brewer, 952 S.W.2d 239

Mo.,1997


Right to organize voluntary religious associations to assist in expression and dissemination of any religious doctrine, and for ecclesiastical government of all individual members, congregations, and officers within general association, is unquestioned, and all who unite themselves to such body do so with implied consent to this government, are bound to submit to it, and give their implied consent to be subject only to such appeals as organism itself provides.

[Cited 0 times for this legal issue]

Maryland & Va. Eldership of Churches of God v. Martin, 13 Adams L.J. 184

Pa.Com.Pl.,1972


The establishment of church tribunals and the decisions of these tribunals dealing with disputes are part of the neutral principles of law which are relevant in civil court determinations of these matters.

 [Cited 0 times for this legal issue]

Ohio Southeast Conference of Evangelical United Brethren Church v. Kruger, 243 N.E.2d 781

Ohio Com.Pl.,1968


Where property rights are at issue, ecclesiastical questions will be determined by court in accordance with laws, customs, and usages of the church involved, and decisions by authorized church tribunals will be accepted by the court as conclusive on such questions unless it has been held that they clearly violate church law or are in conflict with the law of the state.

 [Cited 0 times for this legal issue]

Western Conference of Original Free Will Baptists of N. C. v. Miles, 129 S.E.2d 600

N.C.,1963


Ordinarily it is for the superior organization or judicatory with which a religious congregation is associated to determine which of two contending groups represent the true faith.

 [Cited 0 times for this legal issue]

Protestant Reformed Church of Edgerton v. Tempelman, 81 N.W.2d 839

Minn.,1957


Problems of church doctrine or any problem arising in doctrinal field implying a religious conflict are to be settled by and within judicatories of church body.

 [Cited 0 times for this legal issue]

Wright v. Smith, 124 N.E.2d 363

Ill.App.,1955


All who unite in a religious association impliedly consent to submit to such ecclesiastical government.

 [Cited 0 times for this legal issue]

Whipple v. Fehsenfeld, 249 P.2d 638

Kan.,1952


Though disputes pertaining to theological questions and matters ecclesiastical in character are for decision by church itself, according to its laws and usages, controversies involving civil or property rights come within the jurisdiction of civil courts and are proper subjects for their consideration.

 [Cited 0 times for this legal issue]

Maxwell v. Brougher, 222 P.2d 910

Cal.App.,1950


Church group may create tribunals for decision of controversies with reference to its internal affairs and for ecclesiastical government within the association of its individual members and officers.

 [Cited 0 times for this legal issue]

Rector, Church Wardens & Vestrymen of Church of Holy Trinity in City of Brooklyn v. Melish, 88 N.Y.S.2d 764

N.Y.Sup.,1949


Relation of pastor to congregation, and manner in which he discharges his duties involving spiritual welfare of congregation, and to some extent character of church organization to which he is attached, are subjects of ecclesiastical jurisdiction.

 [Cited 0 times for this legal issue]

Longmeyer v. Payne, 205 S.W.2d 263

Mo.App.,1947


Ordinarily, ecclesiastical tribunals have exclusive ecclesiastical jurisdiction, and their decisions thereon are binding and not reviewable by civil courts.

 [Cited 0 times for this legal issue]

Trett v. Lambeth, 195 S.W.2d 524

Mo.App.,1946


Controversies over theological questions are within the exclusive jurisdiction of ecclesiastical courts, and civil courts are not concerned therewith.

 [Cited 0 times for this legal issue]

Kompier v. Thegza, 13 N.E.2d 229

Ind.,1938

One who becomes a member of a church thereby submits himself to the ecclesiastical jurisdiction in all ecclesiastical matters, and may not invoke the supervisory power of the civil courts as long as none of his civil rights are involved.

 [Cited 0 times for this legal issue]

Kompier v. Thegza, 13 N.E.2d 229

Ind.,1938


All questions relating to the faith and practice of the church, and its members, belong to the church judicatories to which the members have voluntarily subjected themselves.

[Cited 0 times for this legal issue]

St. Mary's Church v. Hrieceniak, 38 Lack.Jur. 129

Pa.Com.Pl.,1936


Membership in congregation and division, dismemberment or suppression of parishes are purely ecclesiastical matters subject to church rules and controlled by decisions of appropriate church tribunals in so far as they do not contravene civil law.

 [Cited 0 times for this legal issue]

Trustees of Oak Grove Missionary Baptist Church v. Ward, 86 S.W.2d 1051

Ky.,1935

Neither council called by group of members of Baptist church, nor association of Baptists controlling educational activities of denomination in part of state in which church was located had appellate or revisory power over local church.

 [Cited 0 times for this legal issue]

Cohen v. Silver, 178 N.E. 508

Mass.,1931

Ecclesiastical tribunal could pursue course marked out by regulations to prevent one not possessed of requisite credentials from continuing in kosher meat business.

🟢 [Cited 0 times for this legal issue]

Altvater v. Meck, 29 Ohio Law Rep. 290

Ohio App.,1929

An "ecclesiastical court" is a church tribunal, whose province it is, in the proper presentation of charges, to try them on its evidence admissible before such a tribunal. They have no power to dissolve a contract nor to absolve either party from its obligation, but they may try and determine existence of causes which work a forfeiture of a clerical office.

🟢 [Cited 0 times for this legal issue]

Fairchild v. Tillotson, 195 N.Y.S. 39

N.Y.Sup.,1922

The proper church judicatory of an ecclesiastical body in which one holds membership, and under whose tutelage one exercises religious functions, is the proper forum for the determination of questions affecting the objects and interests of the moral and spiritual side of ecclesiastical discipline.

🟡 [Cited 0 times for this legal issue]

Hooper v. Stone, 202 P. 485

Cal.App.1.Dist.,1921

The dispute between the seceding body from a religious society and its parent society concerning the use of the society's name is not a matter exclusively under the jurisdiction of the ecclesiastical courts, especially when there is no ecclesiastical tribunal to which an appeal could be taken.

🟢 [Cited 0 times for this legal issue]

First Presbyterian Society v. Markley, 25 Ohio Dec. 1

Ohio Super.,1910

Presbyteries have power of visitation over churches in the Presbyterian Church, but it is wholly spiritual and advisory, and they also have power to unite or divide congregations at the request of the people, and to form and receive new congregations, but they cannot divide a congregation against its will nor unite two against their will.

🟢 [Cited 0 times for this legal issue]

Satterlee v. U.S. ex rel. Williams, 20 App.D.C. 393

C.A.D.C.,1902

The liability of a clergyman of the Protestant Episcopal Church to indictment and conviction in the civil courts, for offenses charged in an ecclesiastical proceeding against him in a diocesan court forms no bar to the proceeding in the latter court.

🟢 [Cited 0 times for this legal issue]

Satterlee v. U.S. ex rel. Williams, 20 App.D.C. 393

C.A.D.C.,1902

The general convention of the Protestant Episcopal Church had the right to make, and has the power to enforce, through the proper diocesan court, canon 2 of title 2 of the general convention, providing that every minister of the church shall be liable to presentment and trial for certain offenses, including that of crime or immorality; there being nothing in the provisions of the canon violative of or in conflict with the personal civil rights of those liable to be tried thereunder.

🟡 [Cited 0 times for this legal issue]

Arthur v. Norfield Parish Congregational Church Soc., 49 A. 241

Conn.,1901

Where a mutual council was authorized by Congregational usage to investigate the conduct of a minister prior to and during his pastorate to determine his fitness for the ministry, and whether he had conducted the church affairs according to approved Congregational usage, his exception to its taking action against him was properly overruled.

🟢 [Cited 0 times for this legal issue]

Travers v. Abbey, 58 S.W. 247

Tenn.,1900

There is no waiver of the jurisdiction of a religious society to adjudicate its own matters by answering and setting up a defense in a court of equity, since the jurisdiction is of the subject-matter, and objection may be raised at any time.

[Cited 0 times for this legal issue]

Morgan v. Jones, 9 Kulp 503

Pa.Com.Pl.,1899

Where a religious association is entered into and becomes part of a particular denomination or sect, professing a certain doctrine or religious faith, it must submit itself to the established rules and discipline of the ecclesiastical body to which it belongs.

[Cited 0 times for this legal issue]

Young v. Buck, 8 York 177

Pa.Com.Pl.,1895

The general conference of the Evangelical Association of North America, which met at Indianapolis in 1891, was held, to be the regular and duly constituted general conference of that body, and those who adhered to such general conference and submitted to its authority were held to constitute the Evangelical Association.

▶ [Cited 0 times for this legal issue]

Krecker v. Shirey, 30 A. 440

Pa.,1894

Ecclesiastical courts only have authority in ecclesiastical matters; they cannot determine civil rights.

■ [Cited 0 times for this legal issue]

Cushman v. Rector, etc., of Church of Good Shepherd of Radnor, 29 A. 872

Pa.,1894

As to what are ecclesiastical matters.

[Cited 0 times for this legal issue]

St. Stephen's Reformed Church v. Imbody, 10 Montg. 21

Pa.Com.Pl.,1894

Under the constitution of the Reformed church of the United States, where all the members of a consistory are charged with malfeasance in office, classis has authority to try them upon an original complaint to it and to depose them from office if found guilty, and an appeal to synod is not a supersedeas.

■ [Cited 0 times for this legal issue]

Bliem v. Schultz, 4 Northam. 157

Pa.Com.Pl.,1894

Ecclesiastical courts only have authority in ecclesiastical matters; they cannot determine civil rights.

■ [Cited 0 times for this legal issue]

Bliem v. Schultz, 4 Northam. 157

Pa.Com.Pl.,1894

The general conference of the Evangelical Association of North America, having delegated to the board of publication the power to appoint the place of meeting of the general conference, such delegation of power is a matter of ecclesiastical regulation, and no civil court nor any subordinate body of the church can interfere.

■ [Cited 0 times for this legal issue]

Pounder v. Ash, 54 N.W. 847

Neb.,1893

When, tested by such organic rules and forms, it is found that the proceedings of an ecclesiastical tribunal were without jurisdiction, such proceedings will be held void in so far as such proceedings necessarily and directly involve property rights.

● [Cited 0 times for this legal issue]

West v. First Presbyterian Church of St. Paul, 42 N.W. 922

Minn.,1889

Under Gen.St.Minn.1878, c. 34, § 225, relating to religious corporations, the sole authority to ascertain and fix the salary or compensation to be paid to a minister is vested in the society or congregation.

● [Cited 0 times for this legal issue]

Appeal of Kerr, 89 Pa. 97

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Pa.,1879

In the Reformed Presbyterian church the powers of the general synod are derived from and contained in the church standards; and the exercise by it of an authority opposed to, or subversive of, such standard, is ultra vires, and cannot, of right, demand the respect and obedience of its subordinates.

[Cited 0 times for this legal issue]

Gordon v. Williams, 3 Leg.Gaz. 113

Pa.,1871


Ecclesiastical courts only have authority in ecclesiastical matters; they cannot determine civil rights.

[Cited 0 times for this legal issue]

Gordon v. Williams, 3 Leg.Gaz. 113

Pa.,1871


Ecclesiastical courts have no jurisdiction to determine civil rights.

 [Cited 0 times for this legal issue]

Skilton v. Webster, Bright.N.P. 203

Pa.,1851


Where property is dedicated to support particular tenets, but not to support such tenets in connection with a particular church government, then it is not subject to any ecclesiastical power which upholds those tenets; but where property is dedicated to support particular tenets, prima facie, it is subject to the jurisdiction of the ecclesiastical courts, until the contrary is shown.

 [Cited 0 times for this legal issue]

Com. v. German Soc., 15 Pa. 251

Pa.,1850


A member of a religious corporation cannot be tried and expelled by a "select number" of the society unless the authority of such select number be shown.

 [Cited 0 times for this legal issue]

Green v. African Methodist Episcopal Society, 1 Serg. & Rawle 254

Pa.,1815

A member of a religious corporation cannot be tried and expelled by a "select number" of the society unless the authority of such select number be shown.

 [Cited 0 times for this legal issue]

Godwin v. Lunan, Jeff. 96

Va.Gen.Ct.,1771

The general court of Virginia had jurisdiction, as an ecclesiastical tribunal, to punish or depose a regularly ordained minister of the Church of England.

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References

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