

Synod was however right, and we hope the "Assembly" will get rid of this Mr. Duncan. Oh! when will ministers cease to use the drunkard's drink? Haste the time, good Lord!

EVENING SEDERUNT.

CASE OF MR. DUNCAN, TEVIOHEAD.

The case came before the Court in the form of an appeal against the decision of the Presbytery of Jedburgh on the 5th instant, finding the Rev. Mr. Duncan of Teviothead guilty of several acts of drunkenness.

On parties being called, Mr. Jeffrey, writer, Jedburgh, appeared for the appellant, and Mr. Stevenson, Procurator Fiscal, for the Presbytery of Jedburgh. A lengthened discussion took place as to the propriety of the case being proceeded with in open Court, Mr. Goldie alleging that it would not only be injurious to Mr. Duncan himself to do so, but it was also calculated to exert an evil influence on the minds of many young people whom he saw present.

Mr. Phin and others strongly opposed the case being heard with closed doors, and it was ultimately agreed to go on with the case in open Court.

The Rev. Mr. Phin, for the Clerk, then proceeded to read the libel, which charged Mr. Duncan generally with being drunk on several occasions between the 8th of November, 1851, and the 1st September, 1852, and with habitual drunkenness during the same period, within the manse of Teviothead, to the great scandal of religion and disgrace of his profession—in particular (1.) on the four days immediately preceding the last Sabbath in December, 1851, he did, within the manse of Teviothead, drink wine or whisky, or whisky toddy, to excess, whereby he was rendered insensible, and lay in bed during the business hours of those days in a tipsy or sotted or intoxicated state; (2.) that on the last Sabbath in December, 1851, he continued to indulge in drinking whisky and whisky toddy and wine to excess, whereby he was intoxicated, or at least rendered unable to discharge his duties as minister of the church of Teviothead; (3.) that on Sabbath the 15th February, 1852, he had drunk to excess, or at least to have been unable to celebrate public worship on that day; (4.) that from the 16th to the 21st of February, (both days inclusive,) he drank to excess, and lay in bed in a sotted, drunk, or insensible state; (5.) that on Sabbath the 22d February, he continued in a state of intoxication so as to be unable to celebrate public worship; (6.) that on the 30th of July, 1852, he continued drinking intoxicating liquors from six o'clock in the morning till the evening, and continued in bed the whole or greater part of the day, regardless of the duties of the approaching season of communion, and to the gross and culpable neglect of the individuals proposing to join in the celebration of the holy Sacrament, which was to be dispensed in the parish church of Teviothead on the Sabbath following; (7.) that on the 31st of July he continued from the preceding day to drink inebriating liquors to excess; (8.) that on Sabbath the 1st of August, the day set apart for the dispensation of the Sacrament of the Lord's Supper in the church and parish of Teviothead, he continued to indulge in the use of spirituous liquors to excess, and made no preparation for the celebration of the Lord's Supper, but lay in bed the whole or greater part of the day; and (9.) that on the 2d of August, the day of thanksgiving following the communion, he lay in bed in a sotted and intoxicated state the whole day, either from the effects of the various acts of dissipation committed by him on the three days last above named, or from continuing to indulge in drinking inebriating liquors to excess.

The locus of all the charges was laid at or within the Manse of Teviothead, inhabited by the appellant.

The Presbytery had found the various counts of the libel proved, but that the charge of habitual drunkenness was not proved. Against the latter finding a minority of the Presbytery complained to the Synod.

Mr. Jeffrey, on behalf of his client, raised objections to the relevancy of the libel, which were replied to by Mr. Stevenson on behalf of the Presbytery, after which the Synod overruled the objections, and sustained the libel.

On the Clerk proceeding to read the evidence, Mr. Goldie again objected to the public being present, but the majority of the Court being differently minded, the reading of the evidence in open Court was resumed, and was not concluded till within a few minutes of twelve o'clock.

Parties were then heard and removed, after which

Mr. Phin said, he thought that by the evidence read, the judgment of the Court below was well founded; and he accordingly moved that the Synod dismiss the appeal, and confirm the sentence of the Presbytery.

Mr. Goldie, with great reluctance and sorrow, seconded the motion which was then unanimously agreed to.

Parties were then called, and judgment intimated, when Mr. Jeffrey protested, and appealed to the General Assembly, took instruments and craved extracts.

Mr. Ritchie then briefly addressed the Synod in support of the appeal by the minority, and asked the Synod whether or not the three occasions of continued drunkenness in December, July, and August, did or did not prove habitual drunkenness.

Mr. Grant stated that the ground on which the majority of the Presbytery felt themselves unable to find the charge of habitual drunkenness proved was, that during the intervals between the three occasions referred to, there was no evidence that Mr. Duncan had been seen the worse of drink.

Mr. Phin then moved that the Synod sustain the complaint, reverse the finding of the Presbytery, and find the charge of habitual drunkenness proven.

Mr. Goldie seconded the motion, which was unanimously agreed to.

Mr. Jeffrey protested, and appealed to the Assembly against this finding also.

Postscript.—Good News!!!

We stop the press to announce to our readers, that on the 14th of June, the New York Legislature passed the Maine Law in the Senate, with the clause submitting it to the people, by a vote of 17 to 13.

QUEBEC CORRESPONDENCE.

NOTES ON THE LIQUOR SELLERS' PETITION.

(CONTINUED)

No. 3.

(To the Editor of the Canada Temperance Advocate.)

MR. EDITOR,—The mode recommended by Messrs. Gibb & Co. for the suppression of drunkenness is in the few following words:—"By imposing penal restrictions upon the offenders when they become obnoxious to the laws of society." In a former part of the paragraph containing these words, we have a very excellent definition of the debasing vice of drunkenness, as "destructive alike of the physical and mental faculties of its victims;" but what is the remedy proposed for the counteraction of such dreadful effects? Hear it—*Punish the "victims!"* O yes; punish the "victims!" place "penal restrictions" upon the effects; but don't touch the causes. "Wines and spirituous liquors," we know, cause men who "abuse" them to "become obnoxious to the laws of society," but you must not touch the liquors. Do any thing else you please, but don't touch the liquors; it won't do. The manufacture and sale of them are rights which we hold to be inalienable, and however "destructive" they may be in their effects, the law has protected us, and must protect us in those rights. We have sold, and intend to sell, what we know is productive of a vast amount of mischief, but we don't force people to buy or to drink; consequently our trade must not be made to suffer for the mischief which it causes: punish "its victims"!!!

Such, Mr. Editor, is the class of reasoning (!) which we meet with on this subject. I would rather call it subterfuge, or any thing but argument. Would Messrs. Gibb & Co. be satisfied with such reasoning from a druggist, who made it a matter of conscience to sell arsenic or prussic acid at wholesale? Who