

on the Ecclesiastical History of Scotland;" and this he shows no less in his article in the 'Contemporary Review' of last month on "Disestablishment." The article is one deserving the careful study of all members of the Church. It goes so elaborately into the subject that it requires some study to appreciate all its bearings. Especially it exposes, in the most crushing manner, the fallacies with which a certain class of newspapers have been filled, ever since the passing of the Patronage Abolition Act, as to the Church having been made sectarian by this Act. The law of Patronage, whatever may have been its good or evil, in itself was never an integral part of the constitution of the Church. On the contrary,—(1) It represented, more or less, from the beginning, "an element alien to its constitution, and wholly unconnected with the rights of the laity in its government and discipline;" (2) Its restoration in the time of Queen Anne was conceived in a spirit of hostility to the Revolution Settlement, and to the popular liberties of which that Settlement was a guarantee; (3) In the form in which it survived in the Act of 1843, commonly called Lord Aberdeen's Act, it had become "unworkable, and, in so far as it did operate at all, was accompanied with provisions which rendered it powerless for good and fruitful of evils which were wholly new."

The abolition of the Act of Queen Anne, therefore, not only leaves the constitution of the Church unimpaired, but it gives play to all its natural vigour and the principles of self-government which it originally embodied. "It threw back the whole system and government of the Established Church upon its old foundation." . . . "There is nothing in the law of the Established Church to throw any doubt whatever on the source of what is called spiritual jurisdiction. There is nothing to impede any man in the Church, or who may join it, from holding the highest doctrine as to that

source. The Established Church is now as free as any Church in the world, perhaps a great deal more free than many which are purely voluntary, in any kind of action and of movement which is requisite for the discharge of those functions for which all Churches exist."

As to the nonsense which has been talked of a rate-paying franchise, the Duke's argument is at once trenchant and conclusive. The Church is a religious association. It rests on a definite Christian basis in the confession: "I believe in one universal and Apostolic Church." This does not involve any narrow or contracted terms of membership; but it plainly implies that the Church should not have imposed upon it "terms of membership which are purely secular." The ties which bind the members of a church together are not to be confounded with those "which gather men together in a class-room, or even in the polling-booth." Nothing could be more preposterous than the idea of electing ministers of the Gospel "as men elect a chief constable or an inspector of nuisances."

"This is the real meaning of the phrase that the Act of 1874 has reduced the Church to the condition of a sect. There is one method of testing the phrase which I could recommend to my countrymen. Let the question be put, What is the distinction between a Church and a sect? It would then appear that a Church is a body whose minister is to be chosen by a few lairds or peers; and that a sect means a church which is so illiberal as to depend upon the whole body of the congregation, which means the whole Presbyterian people *à la*, unshackled by any test, may choose to come to them."

As to the *animus* of the movement directed against the Church of Scotland on account of the Act abolishing Patronage, the Duke is very explicit:—

"If Established Churches are in themselves an injustice to those who have separated from them, then every action of Parliament which tends to render those Churches more efficient and more popular, is action in a wrong direction. There may be a little difficulty sometimes in the minds of very scrupulous and very conscientious men in following up this argument to all its consequences; because such at least of