

many of these chapel ministers being probably better than several legally entitled to sit there? Now, here is an illustration for you. You say, why not allow ordained ministers, having churches and congregations, to sit and deliberate, and adjudicate, in church courts? Suppose a jury empanelled of twelve men; and suppose that one or two or more of the jury had slipped out, and as many of the spectators in court had taken their places: would the verdict returned be legal, when this change in the constitution of the jury had come to be known? Of course, you will say, No. Well, then, just reflect that the law of the land has determined, that none but such and such persons, so and so qualified, sworn and empanelled, are entitled to sit and act on juries; and, then, look at the courts of the Church, and you will find them exactly so restricted. Yet, as happens in many jury courts there may often be men present as spectators fully more competent to judge than those on the jury; but this, of course, does not entitle them to sit there without conforming to the requirements of the law: so, the State determined that the Ecclesiastical Courts of Scotland were vitiated by the introduction of the foreign element,—the chapel ministers; and yet, these ministers might have been personally in all respects superior to many of the Parish ministers. Law is law, and, with all its defects, much of our civilization and its attendant privileges do we owe to it; and, when we travel beyond its domains, we have no right to complain that it takes its course. "The law is good, if we use it lawfully." Unhappily, the Church of Scotland, i.e., the majority in 1834, passed the Veto Act, and so trespassed upon the domain of the State, and hence rendered itself amenable to its lash. But, it is quite unfair to charge the State with travelling beyond its own jurisdiction, and invading the rights of the Church. When for example, Dr. Hanna asserts that the Court of Session assumed the direction of the spiritual affairs of the Church, as well as of its civil, I regret to be constrained to differ from so excellent a man. The Court of Session did *not* pretend to ordain ministers, to administer the sacraments, and to exercise discipline, all which is evidently implied in *directing the spiritual affairs of the Church*. All that the Court did, was to restrain the Church from doing certain acts, until it returned to the relation which it held to the State, before it had infringed upon such relation.

I presume nothing is more common in commercial speculations than for parties to unite and draw up rules for their mutual advantage and in such rules to specify the number of partners to be admitted into the concern. Now, if an additional number of partners were admitted, even by the voice of the majority, I suppose the original contract would be held as broken, and so recourse at law would be had against the violators. Thus exactly stood the case between the State and

Church in the unhappy cases under consideration. It will not for the Church to say, if in union,—mark, by its own consent,—with the State, that it is at liberty to regulate all its purely *ecclesiastical affairs* in accordance with its *own exclusive judgement*: there are laws and rules of discipline and government, as well as doctrine and worship, which it asked the State to sanction, by which it is bound to abide, and not to deviate from, without the consent of the State, the other parts to the union; and be it remembered, that these are not laws and ordinances which the State had imposed on the Church, but which the Church itself enacted and the State sanctioned. Well, this being the case, is it not too much to say that the Church is the only party to interpret and execute such laws, and so sanctioned? But this was just the error of the Church in 1834, as respects the Veto Act.

I hold it myself by no means a desirable right or liberty for people or ministers to have the exclusive power of judging, even in purely ecclesiastical or spiritual matters. Suppose now this right to exist without challenge, see what the consequence might be to our people. The Church Courts might come to think that it would be a right to throw out some chapters of the Confession of Faith: some questions of our Shorter Catechism. Now, if there was no power to interfere, where would be the purity of our Standards? And surely our Catechisms and Confessions are spiritual matters; and these standards have been sanctioned by the State, and cannot be altered without its consent. On this account do I repeat that the Church of Scotland is not free to go wrong; for the moment she for example, throws out a single chapter of the Confession, or a single question in the Catechism, that moment she ceases to be the Church of Scotland by law established. Her people and congregations, therefore, have a guarantee that our symbols of Faith cannot be altered or corrupted without their own consent, that is, given through the government. Here at all events is a security against hasty and ill-considered legislation, and therefore a privilege which our people should not lightly forego for any imagined freedom obtainable in any other Church; for, I again repeat, that no civil court on earth dare interfere with us while we keep within our own boundary, and beyond it we desire not to go: and therefore I say there is not so free a Church on earth as the very Church which has been so often vilified as the mere creature of the State. It is *not* true that we are the creature, but the protégée of the State; a position of which I, for one, feel not the smallest reason to be ashamed.

How stands the case in this respect, as regards the Free Church, which has so unscrupulously hurled at us the banter of being enslaved? Why, in common with every other Dissenting Church, there is not an act which