

tional instruction, sanctioning their internal regulations, endowing them, and granting them certain immunities and privileges, a compulsory power is in like manner employed. It is the same as to an establishment of religion. A compulsory power is exercised in various ways about the established church of Scotland; but is it by compelling all to become members of that church, or inflicting penalties upon those who dissent? When a particular profession, or confession of faith, form of worship and ecclesiastical government, obtain the formal sanction of civil authority, they are recognised by the legislature, as declaratory of that religion which obtains the national countenance and support, and according unto which the legal privileges and emoluments appropriated for this purpose are to be conferred and enjoyed. But this by no means implies that all shall be obliged, under civil pains, to conform unto this establishment, or be punished for dissenting from it.—There is a wide and essential distinction between *the exercise of a compulsory power about religion*, and *compulsion in religion*. Yet there are *Masters in Israel*, who can magisterially decide this controversy, without having learned its *first principles*, or attending to the most necessary distinctions on the subject!"—It was upon this principle of confounding things that differ that the adherents to the New Light now found it convenient to act; and, because the Synod in the preamble had intimated that they did not require of any candidate for license or ordination an approbation of "compulsory measures in religion," they chose to proceed as if it had ceased to require an approval of that doctrine concerning the *power of the magistrate about religion*, which had always formed an essential element in the Secession testimony for the principles of the church of Scotland.

Those who were still attached to their original principles soon saw how they had been outwitted in the matter of the preamble; and they determined to make another effort to secure the maintenance of Secession principles in the Synod. A number of congregations again petitioned their supreme court. The question accordingly was taken up at the meeting of the Synod, in September, 1779. The late Dr Hall of Edinburgh moved, "That the Synod adjourn the farther discussion of this question till a future meeting of Synod, and, in the mean time, appoint a committee of the house to draw up a Synodical address to the people of their

charge, expressive of our adherence to the doctrine, worship, discipline, and government of the Church of Scotland: and for repelling the calumnious reproaches which have been circulated in the public, that the Synod, by what they have done in this business, have abandoned their avowed principles, and that this is designed to be the forerunner of future and more dangerous innovations." The Rev. Mr Willis moved, "That the Synod dismiss the preamble, and appoint a committee to draw up an address to the public, in order to remove any undue impressions made on the minds of the people"—The vote having been taken, the first motion was carried by a majority of 91 to 28; upon which Mr. Willis and some others "protested in their own name, and in the name of all ministers, elders, and private Christians, who may adhere to this protest, that as this Synod hath obstinately refused to remove the preamble prefixed to the Formula, and declare their simple and unqualified adherence to our principles, we will no more acknowledge them as over us in the Lord, until they return to their principles."

In consequence of these proceedings, a minority, determined to abide by their principles, formed themselves into a separate body, and came to be known as the Original, or, Old Light Burghers. The Burgher congregation at Perth was under the charge of two ministers, one of whom, Mr Aikman, adhered to the majority or, as they were commonly called, the New Light Burgher Synod; the other, Mr Jervie, kept his ground with the Old Light. The members of the congregation were in like manner divided; and, a question having been raised about the right to the church, after a lengthened litigation, in the progress of which the case was carried to the House of Lords, the property was declared to belong to the New Light Body. This judgment was given upon the ground of what that body had produced as evidence, and which led the court to believe, that they still adhered to the original principles of the Secession. In order to persuade the court of this, the adherents to the New Light, when they came to understand that the issue of the law process might depend very essentially upon the question whether they had departed from the original principles of the body or not, found it convenient to refer to the words of the preamble, "compulsory measures in religion," in their proper sense as being equivalent to persecution or intolerance. It has been seen that,