

Session had submitted no complaint to the Presbytery, and there is no use of proving or disproving irregularity in an action never performed. *c.* But the Synod proceeds further; it enters in this judgment, as well as the last, into the question of reasons and answers. "The reasons submitted by Mr. Sutherland bear no marks of being disrespectful in expression," says that reverend court. In his 8th reason, Mr. S. says: "By shirking the reference . . . justice is burked and *mutatis mutandis* righteousness is fearfully prejudiced. I hope for better things from the Synod. 'I have done judgment and justice; leave me not to mine oppressors.'" Again, 10th: "In my opinion the proceedings will show that tremendous tyranny was exercised by the majority and that their proceedings are not valid." And yet here there are no marks of disrespect! *d.* "The reasons submitted by Mr. Sutherland bear no marks . . . of being incorrect in statement." The Synod actually employs those words, as can be seen on page 19 of their printed minutes. (1) No paper was submitted to Presbytery but that quoted above, and the minute-book of Gabarus Session, of which even the pages treating of the matter were not pointed out. Mr. S., however, says, reason 2nd: "The reference contained an extract as enjoined." This is a deliberate misstatement, and the Synod's committee knew it. (2) Mr. S. further says, reason 9th: "Dr. McLeod, in Presbytery, introduced these measures amid thundering threats to suspend myself, and an appeal to all present if they were all ready for that act." This is not in accordance with truth between man and man, and the fact was pointed out to the Synod in the Presbytery's answers to these reasons as follows: "As to the assertion that he was threatened with suspension, &c., the truth is that he became refractory and abusive and showed contempt of court, so that he was frequently called to order, and, at length, when the business was interrupted and could not be proceeded with, he was informed that if he continued his offensive conduct, he would be suspended." *Constit. and Proceed.* 308. The Presbytery pointed out these deviations from truth in their answers, after much provocation, not from any desire to deal harshly, but with the hope that Mr. Sutherland would amend his ways. *e.* The Synod proceeds, "Much of what is contained in the reasons alleged by the Presbytery of Sydney against this appeal is irrelevant." Reference is here made, as was pointed out by Mr. McRae, when he read the report, to the fifth answer. "The *fama* against Mr. Sutherland, which the Presbytery was so reluctant to take up, has now assumed a tangible form, and must be investigated in a fair, constitutional way. His character, as a minister of the Gospel, should be vindicated, if he is guiltless. This is the great desire and aim of the Presbytery. Mr. S. himself should be the first to seek such a result, and, for the purpose, should beg the interference of the Presbytery." This has reference to the charges contained in the petition presented by a portion of Mr. Sutherland's congregation, and its relevance depends upon *Constit. and Proceed.* 250: "Great caution is to be exercised in receiving accusations from any person . . . who is himself under censure or process." *f.* In answer to Mr. Gordon's reasons, the Synod says this appeal is dismissed. Well! what next?

15. THIRD APPEAL.—Mr. Sutherland, however, discovering that his paper was no reference, and constitutionally dismissed, and thus having no hope that the Synod would sustain his appeal, produced at the next meeting of Presbytery a petition to which reference has been already made (sec. 8 *b.*) upon the same subject as the paper quoted in sec. 14 *a.* The Presbytery dismissed the petition. Mr. S. appealed. The Synod dismissed the appeal, but in such a manner as to call for a re-iteration of the fact that Dr. McLeod in no way interfered with the Gabarus congregation, except in so far as he on one occasion as Moderator of Presbytery had to announce to some of the trustees of that congregation a decision of this Court.

16. FOURTH APPEAL, *a.*—As has been already stated, sec. 1 *a.* the Presbytery instituted an investigation into the mode of election and ordination of some elders at Gabarus. The Session was at first cited to appear before Presbytery to give testimony, but subsequently, Mr. Sutherland having stated that the older members of Session