

“ John Robertson against a decision of the Session of St. Andrew’s
 “ Church, Toronto, respecting the use of Instrumental Music therein,
 “ after mature deliberation, decern, That Instrumental Music having
 “ been excluded from the public services of the Church of Scotland in
 “ every age, has thereby become illegal by prescription, if not by
 “ enactment—that the Session of St. Andrew’s Church be hereby
 “ enjoined to give all diligence to the cultivation of church music, in
 “ order that they may dispense with the use of said instrument as soon
 “ as possible. And the Presbytery further enjoin upon all their Kirk
 “ Sessions the careful observance of all the laws and practices of the
 “ church.’ The roll having been called, and the votes marked, the
 “ motion was carried by a majority of eight to five, and the Presbytery
 “ decerned accordingly. Parties were then called in, and the judgment
 “ intimated. Whereupon, Mr. Robertson protested for leave to com-
 “ plain to the Synod at its next meeting, promising to give in reasons
 “ in due time, took instruments in the Clerk’s hands and craved
 “ extracts, which was granted.

“ Extracted from the minutes of the Presbytery of Toronto, by
 “ (Signed,) JOHN BARCLAY, *Pby. Clk.*”

In compliance with which decision, as above written, the following reasons are submitted :

First.—The decision or finding of the Presbytery contains the allegation “That the introduction of Instrumental Music into the Presbyterian Church of Canada, in connection with the Church of Scotland, is an innovation even as an aid.” This allegation has been maintained by the complainant in this case from the beginning, this premise being granted, the conclusion arrived at by the Presbytery must fall to the ground.

Second.—The complaint shows, that Instrumental Music is an innovation, that the Kirk Session of St. Andrew’s Church have been guilty of innovation. The conclusion, therefore, of the Presbytery, deeming “it inexpedient to disturb existing arrangements” in St. Andrew’s Church, Toronto, is wholly inconclusive.

Third.—Because no “peculiar circumstances” whatever can justify a breach of the use and wont of the Presbyterian Church of Canada, in connection with the Church of Scotland, in reference to the use of instrumental music in public worship, each congregation within the