

both that the State recognized this doctrine in the recognition of her standards, and, above all, that the civil courts long understood and respected the perfect independence and exclusive jurisdiction of the Church thus recognized by the State, and, moreover, did so in that very matter of the settlement of ministers, a collision about which led to the disruption.

After laying down the constitution of the Church of Scotland, the Memorial thus proceeds :—

“Such, then, being the undoubted principles held by the Church of Scotland in regard to this matter,—she conceives that these principles have been, at various periods of her history, *expressly recognized and sanctioned by the State, as the principles upon which she is established, and under which she holds her endowments, and the other immunities of her establishment.* Thus, in particular, (without at present going back to earlier times), when the Establishment under which the Church at present exists was, very solemnly, settled at the Revolution, the Legislature—while it recognized her as the Established Church, entitled to the State endowments, and made provision for her enjoyment of them—did, in the very same act, afford to her the most ample recognition of the sacredness and inviolability of her spiritual government. By the act 1690, chap. 5, Parliament not only ‘established, ratified, and confirmed, the Presbyterian Church government and discipline *to be the only government of Christ's Church within this kingdom ;*’ but it recognized and fixed the *exclusive character* of the spiritual government, thus vested in the Church, by also ‘*ratifying and establishing the Confession of Faith,*’ in which it is laid down, that ‘*there is no other Head of the Church but the Lord Jesus Christ,*’ and that ‘*the Lord Jesus, as King and Head of His Church, hath therein appointed a Government in the hands of Church officers, DISTINCT FROM the civil magistrate ;*’ and, in respect to the most important head of the Church's spiritual government, viz., that touching the appointment and removal of her ministers, (who form the chief officers in conducting her spiritual government), the same act ‘revives, renews, and confirms’ a previous act, (1592), by which it is explicitly declared, that ‘the collation and deprivation of ministers’ are among those ‘*essential privileges*’ which ‘*God hath given to His Church,*’—from which, it is thereby farther declared, that the supremacy of the Sovereign over all his subjects, shall in nowise derogate.

“The exclusive authority of the Church, in the conduct of her entire spiritual government, under her great Head,—thus secured by the act of her Establishment,—was still farther secured to the Church, by the Act of Security and the Treaty of Union between the two kingdoms, by which Parliament most solemnly ‘*establish and confirm the said true Protestant religion, and the worship, discipline, and government of this Church, to continue, without any alteration, to the people of this land, in all succeeding generations ;*’ and farther provided, that ‘the Sovereign succeeding in the royal government of the kingdom of Great Britain, shall, in all time coming, at his or her accession to the crown, *swear and subscribe, that they shall inviolably maintain and preserve the foresaid settlement of the foresaid true Protestant religion, with the government, worship, discipline, rights, and privileges of this Church, as above established ;*’ the said establishment being farther declared to form ‘a *fundamental and essential condition* of the treaty of union’ between the two kingdoms.

“It has, therefore, always appeared to the Church of Scotland, that so far from having received, or from holding, her endowments and the other immunities of her