

from what, according to his explanation, he intended; partly by Dr. Willis apparently not referring to the purpose of the lawyer in the questions to which his answers were given; partly by his using terms naturally applicable to facts, when he had opinions in view; and partly by his employing the words "perjure" and "forswear" in an uncommon sense.

Dr. Willis was then asked why he delayed so long after the publication of the evidence in the *North American*, to contradict it. His answer was—I did not see the *North American*, till sometime after its publication. I failed to get a copy when I sent for it, and getting the copy a day or two afterwards, I did not allow above three days to elapse before shipping a letter similar to that published in the *Globe*; and the reason of the delay of its insertion for a few days longer was, that parties advising on the one hand, thought it needless, the thing being so clear to them previously; and others held, that if writing were multiplied on the subject, it would not satisfy the prejudiced; and also that being on oath, and acting in obedience to the call of the proper authority, as a citizen, it did not belong to me to guide the press in these respects, especially as I had been accustomed to associate with the *North American* something of a disparaging idea, as a paper not of much authority, and likely to give prejudiced statements where clergymen were concerned. (2.) My own conscious rectitude, and innocence of any sinister intention in having performed a disagreeable, but as I thought, faithful part. (3.) Moreover I saw in other papers the qualifications which the *North American* had omitted, and judged, by the general rule, that one paper would be corrected by another. (4.) I was at pains to parties of influence in the city to explain my meaning from the earliest, even before I saw the *North American*, or heard of the sensation.

(Signed) JOHN BAYNE,
Chairman,
GEORGE P. YOUNG,
Clerk.

HAMILTON, 10th June.

The Committee met and was constituted with prayer. Sederunt—Rev. Messrs. Bayne (convener) Young, Gregg, McKenzie, Duncan, Roger, Scott, McMurray, and Inglis, with Messrs. Redpath, Morgan, Court, Stewart, Clarke, Young, Breakenridge, Matthews, and Hay, elders.

Query from the chair:—Why did Dr. Willis, as soon as he understood the misapprehension that prevailed as to his meaning, and the injury done to his brother, and the scandal caused by his testimony, not give a more particular, distinct, and friendly explanation of his meaning such as occurs in the previous part of this record? Answer by Dr. Willis:—If the letter in the *Globe* appears general, it was at least designed to be, and seemed to myself to be, sufficiently explicit to meet and remedy the existing misapprehension of my evidence, according to all my knowledge, at the date of the letter, of the mistakes that had gone abroad. Besides, while sincerely desirous to counteract for Dr. Burns's sake and my own, any unjust impression founded on an exaggerated construction or defective report of my evidence, I was desirous, at the same time, to avoid such attenuating of my statements made on oath, as might prevent the effect on Dr. Burns's mind of this solemn testimony I had borne, which was only consistent with frequent previous dealings with Dr. Burns in private, on this very fault of rashness, in asserting or pronouncing on character. Moreover Dr. Burns having avoided a private conference offered by his brethren, the Clergymen and Professors in Toronto, who had been much hurt by his spirit and manner in conducting this business, and who had desired to express to him their sense of his grave error, and he having pleaded, in avoiding such conference, the advice of his lawyer, Dr. Willis naturally

became more reserved in any written explanation which emanated from himself, that according to all his knowledge of the erroneous impressions of his evidence, he repeats that he aimed to be as explicit as was required. The *Leader* was the first paper in which he saw a report of the Police proceedings, and the version given by that paper appearing to be very nearly in accordance with his remembrance of what he had actually said, he was naturally less impressed with the possible misconceptions attending erroneous reports given through other channels. Finally, it must be remembered that at the date of his circular as well as letter, he had not discovered the mistake or omission in the *North American* report itself as regards the parenthetical interpretation of the word "his." I delay or supposed generality, in short, of the letter and the circular was not caused by any animus against Dr. Burns. If an error at all, it was an error in judgment, and even as such, so far as Dr. Burns might be injured by it, Dr. Willis cordially regrets it.

At this stage it was reckoned desirable to consider the action of Dr. Burns in the Lublin case, which had led to the evidence of Dr. Willis being given. Dr. Burns being absent, a printed statement, known by the Committee to have been issued by Dr. Burns himself, and detailing very particularly the grounds he had gone upon in arresting Lublin, was read, and the Committee resolved to hold it to be a full and correct account of the grounds in question.

Dr. Burns being still absent, and the Committee having delayed a considerable time, they proceeded to consider what judgments they should come to upon the whole case, as now upon the records of their minutes. The parties principally interested were requested to withdraw.

Dr. Burns having now entered, requested to make a remark on the evidence of Dr. Willis given this day. Dr. Willis was called in. Dr. Burns made a statement, from which it appeared that his reason for declining the conference to which Dr. Willis referred was, that he was informed by Dr. Pyper who came to invite him, that the meeting had been called not to settle the difficulty between him and Dr. Willis, but to deal with Lublin and to advise him in his course in regard to Dr. Burns.

(Signed) JOHN BAYNE,
Chairman,
GEORGE P. YOUNG,
Clerk.

THREE O'CLOCK, P. M.

The Committee met—all the members present. The Committee proceeded to deliberate on the judgment to which they should come on the case as thus brought before them; and after a full expression of the mind of each member, it appeared that there was a substantial agreement as to the course that ought to be recommended to the Synod. It was agreed that the following members be appointed a sub-committee to prepare a deliverance, and to report to the Committee at the next meeting—Mr. Bayne, Mr. Young, and Mr. Court.

(Signed) JOHN BAYNE,
Chairman,
GEORGE P. YOUNG,
Clerk.

NINE O'CLOCK, P. M.

The Committee met and was constituted with religious exercises. Mr. Bayne in the Chair. The members of Committee all present. The Report of the sub-Committee was read and unanimously approved of;—and in accordance therewith the following was recommended as the deliverance of Synod.

The Committee having conferred with the Presbytery of Toronto and with Drs. Burns and Willis, and ascertained definitely all the facts of the case brought before them in the Reference, viz:

1. What were the words actually used by Dr. Willis in the evidence to which the memorial from Knox's congregation related.

2. What was the meaning Dr. Willis actually wished to express in giving that evidence.

3. Why Dr. Willis delayed so long to explain his meaning, after he found that misapprehension regarding it prevailed.

4. Why his explanation, when given, was so defective, and

5. What had been the action of Dr. Burns which led to the evidence given by Dr. Willis

(All which particulars will be found fully brought out in the minutes of the Committee here-with given in.)

And having considered what seemed best fitted to do justice to the individual parties concerned, and to purge the Church of the scandal which had been caused by the whole case, agreed to recommend the following deliverance for the adoption of the Synod:—

I. In the first place, the Synod rejoice to find that Dr. Willis distinctly disclaims ever having meant to charge Dr. Burns with wilful falsehood or perjury in the sense of swearing to a known untruth, as appears by the Minutes of Committee.

II. Secondly, while the Synod rejoice that the evidence of Dr. Willis as explained by himself, relieves Dr. Burns from the heavy charge, under which it must have been so painful for him to appear to lie even for a short time, of falsehood and perjury, (in the ordinary sense of the term), they feel constrained to express their deep regret, that Dr. Willis appears to have been not only unfortunate but very unguarded in the selection of the language he employed to express his ideas on a subject so delicate as the character of a brother; and moreover, that without sufficient reason, he delayed to make the explanation which was plainly due both to Dr. Burns and to the cause of religion, after he knew, or had reason to suspect the misinterpretation which had been put upon his testimony; and still further, that when he did profess to explain, his explanation was not of that frank, distinct, and friendly nature which the circumstances of the case called for.

But further, the Synod in pronouncing this opinion about the action of Dr. Willis, feel called upon to put on record their sense of the imprudence of Dr. Burns in the case which led to the evidence given by Dr. Willis, viz: his bringing an individual before the Police Court on insufficient legal evidence: though they cannot regard this as furnishing an excuse for the conduct of Dr. Willis.

III. Thirdly, That the Synod do not feel called upon to enter upon the consideration of the question, how far Dr. Willis's charges against Dr. Burns, as explained by himself, are well or ill founded: inasmuch as they do not charge any particular act of moral delinquency against Dr. Burns, and are such that the satisfactory investigation of them is from the very nature of the case impossible.

IV. Fourthly, That the explanations given by Dr. Willis having certainly lessened the breach which the naked language of Dr. Willis was fitted to produce, the Synod trust that Dr. Burns and Dr. Willis will be enabled to consider the causes of difference still existing between them, in a Christian spirit, and will endeavour, as far as possible, to come to a mutual good understanding in regard to these.

In conclusion, the Committee looking upon the scandal caused by the occurrences, which have led to this investigation, as fitted to shake the confidence of their people in the College, on the efficiency of which, the prosperity of our Church so much depends, would respectfully recommend to the Synod, to have special regard to this in all their action about the College.

(Signed) JOHN BAYNE,
Chairman,
GEORGE P. YOUNG,
Clerk.