separating him from his pastoral charge, "reduced, retreated, rescinded, crossed, annulled, decerned and declared to have been from the beginning, to be now, and in all time coming, null and void, and of no avail, force, strength, or effect, and to bear no faith in judgment outwith the same; and the said Rev. John M'Millan, pursuer, to be reponed and restored against the same, *in integram*." The Court of Session can no more restore Mr. M'Millan to the office and functions of the Christian ministry, or give him the spiritual charge of a congregation, than it could make him King of the British Isles. As regards the other alternative—the alternative of compelling the Church to take orders in matters spiritual from any other authority than that of the Lord Jesus Christ, speaking in His Word—it is enough to say that a Church which stood the fiery trial of the Disruption will know how to meet such an attempt. I have no hesitation, however, in saying that to do what these Courts are asked to do in this Cardross would be to go beyond anything that was done by any even of those decisions which rent the Established Church in pieces. In all those decisions there was one outstanding speciality which the civil Courts could urge. They could point to a certain civil statute which, as they alleged, imposed certain obligations on the Courts of the Church; there was no such statute here. The Court of Session has itself, and since the Disruption, recognised this distinction, even when it was dealing with the Established Church. In the year 1851, a case was brought into the Court of Session very closely resembling that of Mr. M'Millan. It was the case of Lockhart, a minister of the Established Church. The grounds on which the interference of the Couet of Session in that case was sought were these—that the libel was defective, and that "the procedure before the Presbytery had been generally irregular and oppressive." In disposing of this case, Lord Fullarton, said—"This is an attempt which, if successful, would go far indeed. For on the very principle that we are called on to suspend the proceedings taken by the Presbytery of Deer, under an order of the General Assembly, we may be called upon to review every sentence of the Church Courts." Referring to the plea that the Court had done something of this kind before in the non-intrusion cases previous to the Disruption, Lord Fullarton said—These were "very special cases, and were decided on that speciality." In them "the alleged contumacy against the Church Courts was obedience to the laws of the land." On this broad ground it was that the Court dismissed the action. In giving judgment, the Lord President Boyle spoke in these clear and unequivocal terms:—"The only question we have to determine is whether this Court has any power to interfere with the proceedings of the Church Courts in a matter of ecclesiastical discipline. Although we may form a different opinion in regard to matters of form, or even of substantial justice, in my opinion we cannot interfere to quash the sentence. I listened with the greatest attention to the argument of Mr. Logan, and though he opened the case with his usual ability, he cannot make bricks without straw."

. . "The offence was an ecclesiastical offence. The charge was tried in an ecclesiastical court, and we cannot interfere. With such a decision standing on the records of the Court, and of so recent a date, one wonders that there should be a moment's hesitation on the subject. It will not of course be pretended that the rule which the Court thus laid down for its guidance in regard to cases of discipline in the Established Church, is to be no rule at all in regard to the discipline of unestablished Churches. To lay down such a doctrine would be virtually to abolish the law of toleration. It is absurd to say that a Church is tolerated, if that spiritual discipline which is essential to its very existence is not to be tolerated also. If any distinction were to be made between Established and non-established Churches, all the precedents of the Court of Session would warn us to expect that it should be a distinction in favor of the greatest liberty and independence of non-established Churches. It may be sufficient to refer to the well known Campbeilton case in 1839. In that case there were two points raised—the one as to whether or not the Establishment principle was an essential and fundamental tenet of the Relief Church—the other, as to certain alleged irregularities in the Presbytery's procedure, in cutting off the pursuer, the Rev. Mr. Smith, from the Relief body. The former of these points was obviously a perfectly competent question for the Civil Courts to entertain, with a view to the decision of a question of property; and accordingly the Court of Session entertained and decided it. But the latter point—the point which involved the spiritual sentence pronounced by the Relief Church against Mr. Smith—the Court of Session refused to look at. Lord Medwyn said it was "purely a case of discipline," with which the Court could not interfere. Lord Meadowbank held "that Mr. Smith had no title to pursue, because the Relief body, being the body that had jurisdiction over him, had deprived him of his office: and having done so, his right to the manse, glebe-house and pulpit fell of necessity. Lord Justice-Clerk Boyle said—"With regard to the alleged irregularities in the procedure before the Presbytery and Synod, in regard to the mode of setting Mr. Smith aside, as being in matters clearly connected with the discipline of the Relief Church, it cannot be thought that this Court can interfere. That point was ruled by Lord Braxfield's decision in the case of Auchincloss, confirmed by the Court." In regard to the case of Auchincloss, it may be stated in passing, that it is referred to in the Faculty collection of decision in connection with the case of Dun *v.* Brunton, decided in 1801, in the following terms:—"In the case of Auchincloss against Black, Lord Jus-