

remove his own disabilities before he could utter one word or offer any evidence in support of his memorial, believing that the Presbytery, by surrendering its own exclusive privileges, as a court of enquiry, has exposed our minister, unnecessarily to improper hardships, disadvantages, and to positive injustice, and that such exposure, to injustice operated so sensitively on his mind as to constrain him to the tender of his resignation, which, with the privilege of a trial, conducted in accordance with the laws of the Church, and a fair and impartial hearing, he might have withheld, we unhesitatingly decline to give our concurrence in a resignation extorted under circumstances so unprecedented, lest that concurrence should be construed into a homologation of proceedings which we believe to have been irregular from the beginning. We cannot be made to believe that that resignation was the voluntary act of our minister, we cannot believe that, without any previous consultation with us, without the expression of any desire on the part of his present congregation, and without any existing dissatisfaction or estrangement in fact, of the members of his congregation, he would voluntarily and without previous intimation to them, have suddenly severed the sacred ties which have bound him and them together for nearly fourteen years. And we now respectfully but firmly warn this Presbytery of the danger to which they will expose the congregation, should the Presbytery give any countenance to the spiteful and malevolent acts of disappointed individuals, who, finding their own connexion with the congregation for ever severed ignominiously to themselves, are unable to rest satisfied without wicked attempts to gratify their malevolent feelings, with the complete disruption of the present congregation, we would therefore earnestly implore this Presbytery to re-consider the propriety of the course that has been taken in the matter of Thomas Kydd's memorial. To re-consider the preliminary objections urged in his case by our minister, and if this Presbytery be satisfied that the Synod did not withhold any of the privileges conferred on every Presbytery by the laws of the Church, then to give that weight and potency to these objections to which their intrinsic merits entitle them, and which the justice and importance of this case demand. In so far as these objections were embodied in the case of our minister, laid on the table of this Presbytery, we desire now to be allowed to make that case our own; we pray that these objections may be again read to this court as forming a part of this memorial, and we ask for judgment and your deliverance upon both as forming inseparable portions of the same case.

We do not appear before this court as a restless and disappointed faction in the congregation, or as any miserable minority, whose separation from the congregation might be productive of benefit. We appear at your bar with the signatures of two hundred and thirty united members of the congregation, adhibited to the accompanying statement, in which we offer an abstract of our claims, and of the reasons for which we respectfully decline giving our sanction to or concurrence in the recent proceedings of the Presbytery. These reasons we now venture briefly to sum up.

1. Because the memorial, purporting to be a statement of Thomas Kydd's grievances, ought not to have been received by the Presbytery without a preliminary enquiry being instituted as to whether it had been presented in accordance with the laws of the Church.

The document referred to, which was supplementary to the memorial, was not read or opened by the Synod, its contents were unknown to the