

modesty, or that considered the presence of God in which he spoke? If those truly miraculous gifts which were made a pretence for the schism at Corinth, were not sufficient to justify that schism, how ridiculous and much more wicked is the pretence of our modern gifted men who have pleaded their delicate gifts as a sufficient ground for all that schism and rebellion which they have raised up amongst us?

If the real gifts and inspirations of the Holy Spirit were stunted and limited by the governors of the Church, to avoid schism and confusion in the Church, (1 Cor. xiv. from ver. 26): if the prophets were confined as to their number to two, or at the most three at a time; some ordered to hold their peace, to give place to others; others to keep silence for want of an interpreter; and the women (though gifted or inspired, as many of them were) totally silenced in the Church or public assemblies (1 Tim. ii. 12): what spirit has possessed our modern pretenders to gifts that will not be subject to the prophets, nor to the Church, nor to any institutions, whether divine or human? But if their superiors pretend to direct them in any thing, they cry out, "What! will you stifle the Spirit?" and think this a sufficient cause to break quite loose from their authority, and set up an open schism against them upon pretence of their wonderful gifts forsooth!

That first schism in the Church of the Corinthians was vigorously opposed by the apostles and bishops of the Church at that time: they, like good watchmen, would not give way to it, knowing the fatal consequences of it.

This produced two Epistles from St. Paul to the Corinthians, and two to them from St. Clement, then bishop of Rome, which are preserved and handed down to us. It was this same occasion of schism, which so early began to corrupt the Church, that led the holy Ignatius (who flourished in that same age) to press so earnestly, in all his epistles to the several Churches to whom he wrote, the indispensable obligation of a strict obedience to their respective bishops, that the laity should submit themselves to the presbyters and deacons, as to the apostolical college under Christ, and that the presbyters and deacons, as well as the laity, should obey their bishop as Christ himself, whose person he did represent; that therefore whoever kept not outward communion with his bishop did forfeit his inward communion with Christ; that no sacraments were valid or acceptable to God which were not celebrated in communion with the bishop; that nothing in the Church should be done, nor any marriage contracted, without the bishop's consent, &c., as you will see hereafter.

These clear testimonies forced the Presbyterians (because they were not in a temper to be convinced) to deny these epistles of St. Ignatius to be genuine; but they have been so fully vindicated, particularly by the most learned bishop of Chester, Dr. Pearson, as to silence that cavil, and leave no pretence remaining against episcopacy in that primitive and apostolical age.

(To be Continued.)

THE CHURCH.

TORONTO, SATURDAY, DECEMBER 19, 1840.

The attentive observer of what is ordinarily termed the "religious world," cannot but wonder that so many who are sincerely desirous of spiritual enjoyment, should overlook the abundance of the means for that holy and comforting feeling which exists in the communion of the Church of England. We had occasion lately to remark upon the irregularities which are often manifested by those who are under the influence of what is termed "evangelical impulses," and to express our surprise and regret that the channel for the legitimate and wholesome exercise of such feelings, should so often be forsaken for wild and devious courses which lead so surely to disunion and so frequently to error. We need not reiterate our persuasion of the sincerity of motive and the genuineness of feeling by which such persons have usually been actuated; nor need we repeat what may, in charity, be esteemed a justification of the unsettledness and the wanderings which, with every admiration of their unsuspected spirituality, we are often constrained to deplore.

That the sources of spiritual enjoyment within the Church,—rich and exalted as they are, far beyond what the ill-disguised meagreness of modern innovation has attempted to substitute in their room,—should have been so often and so widely overlooked; that in these wanted days of the march of intellect, the Church's ancient and treasured stores of pious and devotional exercise should be forsaken for the tinsel wares of modern religionists, it may be well for us to attempt to account for, while we condemn the depravity of taste manifested in the unequal and pernicious exchange.

Amongst the blessings bequeathed to us by the Reformation, it is not to be denied that some calamities have been interspersed; and of these one of the most deplorable is the fact that, at that period, the Church had been extensively shorn of her power to carry out the beauty and excellence and the practical influence of her own system. She was then lamentably crippled in her means of affording to her children the fulness of that religious enjoyment from which, as a provident "nursing mother," they would naturally look, and of which, indeed, her services, her whole ritual and discipline, if faithfully employed, are so bountiful. The resources which she once possessed for sustaining her ministrations on an adequate scale, were, in a great measure, sparingly filched away from her, and sacrilegiously appropriated to worldly uses.

What a national religious establishment really requires fully to develop the completeness of its beauty and the extent of its blessings, Almighty God himself was pleased to reveal in the Jewish dispensation. There we have a lesson, even in a shadowy economy, of what the spiritual wants of men required: there we are informed that steadily to feed the sacred fire upon the national altars, and to keep enkindled the same hallowed fervour in the people's hearts, it was no mean or niggardly appropriation for holy uses that would suffice. One whole tribe out of twelve, or about one-twelfth of the whole population of the country were set apart, by a special consecration, to the service of the Lord; and one-tenth of the whole produce of the land was required to be surrendered for their maintenance. This whole economy, we are aware, was but the shadow of good things to come,—the type of a higher, holier, more glorious dispensation,—the representation, dim and indistinct, of Him who, in his own person, was to be the complete and all-sufficient offering for sin. But when he, the Redeemer, came, and the great atonement was made, and his religion was propagated and established far and wide: when it became the faith of nations, and the crowned sovereign knelt with the humble peasant at the cross's foot; was it required that every material temple should be prostrated, every visible altar overthrown, and no shrine allowed but the heart of the worshipper? Was it any where revealed that the form of religion was to be abolished, while its power was to be enlarged and sanctified,—that the preachers of the glorious Gospel were to be dispensed with, and the allotment for their support thrown back again into the coffers of the world? Or was it not understood that the "company of the preachers" was to be a greater and a stronger band than ever,—that the material temple was to stand out in proportions as grand, and in symmetry as beautiful as before,—and that the whole exhibition of visible worship was not to be one whit behind the "shadowy" age, in the grandeur and impressiveness of its symbols?

We know that the early Christians thought so: we know that their coffers supplied no mean or stinted contributions to the treasury of the Church, and that the overflowing generosity which a spirit of piety prompted had even to be restrained,—so that neither town nor hamlet should be without its holy shrine to worship at, no altar without its needful ministers, no minister without his appropriate maintenance. There was no scant supply then, so sparingly furnished now, of the Overseers of the Church,—no lack of presbyters to guide and feed the flock,—no deficiency of deacons to superintend the more secular wants of the believers,—no paucity of those, (Christian Levites they might be termed,) both men and women, to perform those charitable offices for the sick and poor, about which, when fulfilled by such as had a religious consecration to the duty, an odour of sacredness is thrown. This, in the primitive days, was the refreshing picture of the Church of Christ; and even in later times it exhibited this holy completeness and all-pervading influence. In the words of an able periodical,—

"Christianity did once wear that very guise which, while it was good for the rich, was also of that very sort which most appeals to the prejudices and sympathies of the poor. It was once a religion of visible self-denial and holiness, which willingly took on itself the sorrows which to the multitude are inevitable, and lightened their sufferings by its own pain and privation. It was not once that unbrutal things, that feeble exerts, shut up in churches, parsonages, and parlours; but walked abroad, made the multitude both the receivers, the collectors, and the distributors of her bounties; compelled cities to wear her livery, and dared to inherit the earth. She once provided homes and forms of operation for the heroic virtues, for lofty aims, and firm resolves, making their torrents flow in the manifold channels of mercy, instead of suffering them to waste the land with a baleful magnificence. She once gave names, and methods, and ancient sanctions, and solemn order, and venerable holiness, and every quality men love and obey, to the pious bears of spiritual and temporal aid to the ignorant and poor; as even the many sacred titles which our streets, our gates, and our bridges are still suffered to bear, do testify. She once did so combine and temper these works of benevolence with other holy employments, with frequent daily prayer, and oft-heard choral praise, that the social acts of temporal and ghostly relief seemed no separate, adventitious work, no petty craft of artificial goodness, no capricious adventure or trick of interference, but rather flowing from a something holy, natural, and complete in all its parts. She once had offices and employments for all, that all, however humble in rank, or wealth, or mental culture, might be personally interested in the Church's work. She once could claim her own from every rank, teach all her holy characters, make all acknowledge her marks and passports of sacredness and authority."

To the wisdom of this economy, to the beauty and the value of this spiritual apparatus, that heterogeneous mixture embraced under the designation of the "religious world," bears even now an unconscious but impressive testimony. We find it yielded by Dissenters of almost every name, in the *deacons, class-leaders, exhorters, &c.* which they associate with what they deem their regular ministry. And what is the case even amongst ourselves, where a valid and apostolical priest-hood prevails? Why, that from the overpowering force of circumstances, we are compelled to employ individuals from the ranks of the laity to perform offices, of a religious character too, which for the most obvious of reasons were delegated originally to legally commissioned ministers only, whether of high or of low degree. At the present day, *Catechists, Scripture-Readers, District-Visitors, &c.* are made to fulfil a duty which, in a primitive and purer age, were entrusted to the lawfully ordained deacons, and sometimes even to the presbyters of the Church. And here we could enlarge upon the inconveniences, the dangers, the calamities to the Church of Christ which the substitution of the modern for the primitive system is the means of producing: suffice it to say that, whatever be the justification from necessity,—and with a sigh we yield to its stern decree,—one immediate effect of this modern system is, that the lawful ministry of the Church is lowered in the estimation and the reverence of the people,—that the whole Christian economy loses its odour of sanctity and becomes secularized,—and that encouragement is more and more afforded for the presumption of an Uzzah, and the sin of a Jeroboam.

But let us not digress too far.—We meant to state the loss to individual members of the Church from the diminished efficiency of her ministrations; the loss of that spiritual enjoyment which her communion so richly affords when its system is fully carried out,—when its holy apparatus is put into complete and effective operation. One painful consequence of this stunted and diminished provision of sacred ministrations is, that the sincere and ardent worshipper, whose soul, like that of David, thirsts for the living God and pants for the ordinances of His sanctuary, is deprived of that supply to his spiritual appetite, of that appropriate nourishment of the high and holy energies of the soul, which is furnished in what the Church meant should be furnished to him,—a daily morning and evening service; a daily union in the mellowed prayers and chastened praises of our unrivalled Liturgy, a daily hearing of the Word of God in His own consecrated temple. And while the want of this has secularized the mass of Christian society, and has served to yield to Mammon the dominion over it which our God and Saviour claims, how often has it driven the unwary to other sources for the spiritual sustenance which the awakened soul will crave! How often has it driven to the crudities and the extravagance of extemporary prayer, and lured into some promiscuous throng who are urged each to vent, as they may, the uppermost feelings of an impassioned soul, with the belief which subsequent events alas! soon dissipate, that the Holy Spirit inspires the wild, and rambling, and unmeaning effusion! This disorder and its concomitant disasters are amongst the unhappy results of the deprivation we are lamenting.

And then the pillars set up here and there for our encouragement on the way,—mile-stones, as it were, upon our pilgrim journey,—the celebration of feasts and fasts, and the commemoration of the life and death of Apostles and Evangelists,—these the innovating march of intellect, the liberalizing spirit of the times have swept well nigh away; because it is deemed to savour of Popish corruption to feel, and testify, and praise God, that a Paul has preached, a John has prophesied, and a Peter died inverted on the cross in attestation of the truth!

And then, too, as to the more private exercises of disciplinary devotion and practice provided by the Church to aid in the spiritualizing and sanctification of her members, how has the philosophy of modern times outmastered the wisdom of our fathers in their almost total abolition!

And, were bereavement than all to the earnest and striving Christian,—the Sacrament of the Lord's Supper which, in the Apostles' time, was every Lord's day at least administered, (we are prepared to shew, if necessary, that it was celebrated every day,) is now thought to be strength and refreshment enough to the weary soul, if its celebration takes place, as a general rule, three or four times in the year! The effect of this infrequency is, on the one hand, a diminished taste for its spiritual comfort, a lessened respect for its sanctifying power as a means of grace; and, on the other hand, a repelling awe in the contemplation of this sacrament by which it was never meant that Christians should be influenced. In these lax, degenerate, and worldly days, open the temple doors at the conclusion of the service on the day on which the banquet of the Lord is spread, and we find crowds escaping from it,—the father, the mother, and the child rushing in eager haste away as

from some awful mystery in which they have no concern! It is true "they know not what they do,"—are not sensible of the greatness of the sin of which they are thus guilty; that having covenanted in baptism to serve their heavenly Master, they fly from his standard, turn their backs upon the symbols of his love, refuse the renewed pledge of fealty, and rush even to the encounter against Him in the ranks of Satan and the world. But the error, the inconsistency, the sin, the calamity, has been in great part engendered by rendering this Holy Sacrament so rare, so infrequent, and therefore so repulsive a thing. We should not countenance a careless and mere formal communion in these mysteries; but we desire so much of their restoration to what in a better age was supplied, that the soul may have its appropriate scaffolding in mounting heavenwards,—not with chasms so wide between that the spirit shudders at the giddy ascent,—nor be compelled to fly from the richness of its prescribed sustenance to the miserable "hunks" which man's inventions have sought to substitute for it in a whirl of mere animal excitement. Where this divinely appointed means of kindling up and maintaining the life of the soul is so sparingly supplied, we cannot wonder at meagreness on the one hand, or at wildness on the other; at dullness, where there should be enjoyment,—at fanaticism, where the pious fervour should be chastened, sober, and humble.

These are deprivations which we unfeignedly deplore; yet our sorrow is tempered with a ray of hope and rejoicing. We see, or fancy we see, the great brotherhood of the Church uniting fast in a filial appreciation of the advantages which are left, and in a quickened anxiety for the return of those which an encroaching spirit of worldliness has deprived them of. We see them now more generally seeking their spiritual enjoyment where, inconvertibly, it is most richly furnished,—in their own communion. We see them abandoning the broken cisterns to which heresy and dissent would leave them, for the living waters which flow in the broad and ancient and divinely-constituted channels of the Church. This, at least, we fancy we discern, and we gratefully welcome the dawning of the better day which it betokens,—the shifting of every evanescent cloud which dims the full orb of the glorious Sun of Righteousness. In the words of an elegant writer, "the times are dark, and a curtain of gloom hangs over the future; but on its dark face we may discern brightening in prismatic hue a vision of past beauty,—THE HOLY CATHOLIC CHURCH."

We are now enabled to conclude, in the words of a correspondent, the narrative of the westward tour of the Lord Bishop of Toronto,—hoping that we shall soon be permitted to furnish our readers with the aggregate result of the laborious services of our Diocesan in the course of his visitation last summer:—

"Sunday the 20th of September was the day appointed by the Bishop for the Confirmation in the Church at Ingersoll. This sacred edifice was not completely finished; but the chancel was prepared, and a temporary roof, covered with grey cloth, was erected. The absence of pews was remedied by boards arranged in rows, sufficient to accommodate nearly the whole of the large congregation which then assembled. After the usual service of the day, sixteen persons were confirmed; to whom the Bishop addressed an earnest and most affectionate exhortation on the paramount importance of personal holiness as the fruit of a heart-felt faith.—The Church stands on a beautiful eminence overlooking the village, on a spot of one and a half acres bestowed by the late Charles Ingersoll Esq. The interior proportions of the building are admirable; and when finished, it is probably by this time, it will certainly be amongst the most commodious of our country churches.

"The weather being very unsettled, the Bishop resolved to reach London the same evening; accordingly, after partaking of the hospitality of Mrs. Ingersoll, his Lordship left in a very comfortable conveyance kindly provided by Mr. Rothwell, and arrived in the town of London before dark. The next morning, Monday the 21st September, attended by the Rev. B. Cronyn, the Rector, and the Rev. R. D. Cartwright, his Lordship confirmed forty-five persons in the church in town. The congregation was not large, owing to the sitting of the Assize for the District, on account of which many were necessarily prevented from attending. Immediately after, the Bishop proceeded to the second church in that township about seven miles north of the town. Here a very large congregation were assembled, and it was truly gratifying to witness a temple so thronged in a spot which, a very few years before, had been a wilderness. Sixty-four persons came forward to renew their baptismal engagements. At the conclusion of the interesting services of the day, a deputation waited upon the Bishop to represent their cordial feelings towards the Church, his Lordship bade them farewell. After refreshing himself at the house of Mr. Cronyn, just half-way between the two churches, he returned to the town about half-past nine in the evening,—having confirmed that day 109 persons, preached twice, and addressed two long exhortations to the candidates.

"On Tuesday the 22nd, the Bishop, accompanied by the Rev. R. D. Cartwright, left London for St. Thomas, where notice had been given of a Confirmation at one o'clock. His Lordship was met by the Rev. M. Burham on his arrival, and soon after proceeded to the church, where a respectable, though not large, congregation was assembled. A second church, about seventeen miles distant, in the township of Dunwich,—officiating there once a fortnight. His Lordship had made an appointment at this church for 11 o'clock on the following morning; he therefore left St. Thomas late in the afternoon on Tuesday to visit Col. Talbot, requesting Mr. Cartwright and Mr. Burham to join him at the church at Dunwich at the appointed hour on the following day. This church is a neat wooden building, well finished, and furnished with every requisite for the decent performance of Divine worship. The cost was defrayed chiefly by the liberality of the farmers of the neighbourhood, who have been set on an example worthy of the imitation of all members of the Church,—several having contributed sixty pounds. An elderly lady gave the ground—ten acres—and a very handsome Bible in folio for the desk. The Church never having been consecrated was, on this occasion, duly set apart by the Bishop for the service of Almighty God, according to the prescribed form; after which eleven persons were confirmed.

"His Lordship's next appointment was at Delaware, a village on the Thames, about fifteen miles from London, and in a direct line, not much further from Dunwich; but there being no direct road across the country, the Bishop determined to return to St. Thomas, which he did the same evening.

"On the morning of Thursday, September 24, the Bishop and Mr. Cartwright left St. Thomas, and struck into the London and Chatham road at the village of Westminster, about four miles from London, and reached Delaware about two o'clock. This village is beautifully situated on the banks of the Thames, and near it is the Indian mission of Munsee-Town,—both under the charge of the Rev. R. Flood. The church is a plain wooden building without a steeple, and unpainted, but well situated upon the bank of the river.

"In consequence of the sudden and unexpected death of the Rev. W. Johnson of Sandwich, the intelligence of which reached his Lordship on his journey, the Bishop deemed it advisable that some clergyman should visit that parish previous to his arrival, in order to prepare any candidates that might present themselves for Confirmation, and to preach on the previous Sunday. It was accordingly arranged that Mr. Cartwright should separate from the Bishop at Delaware, and proceed without delay to Sandwich in the stage which left that afternoon for Chatham. Mr. C. therefore here parted from the Bishop, who, after leaving Delaware, had to visit Adelaide and Warwick, and they did not meet again until his Lordship arrived on Tuesday the 29th at Sandwich. On Wednesday it rained incessantly the whole morning, so that the congregation was unusually thin. Seven young persons were confirmed; and the recent death of their beloved pastor contributed, in no small degree, to deepen the impression of the importance of personal faith and duty to which

the solemn rite of Confirmation so particularly leads. In his address to the candidates, the Bishop alluded, in a most affecting manner, to the loss which the Diocese and especially that congregation had sustained,—the effect of which was increased by the death, only the day before, of the youngest and favourite child of the deceased pastor; who, loving in life, in death were not divided.

"Although it rained heavily, Bishop McCosky very kindly came over from Detroit in the afternoon to see his Lordship; who, undeterred by the weather, proceeded the same day to Amherstburgh and Colchester, while Mr. Cartwright crossed over to Detroit, and took the Steamer for Buffalo on his return home."

We have been favoured with a copy of the "CANADIAN SPELLING BOOK," just published by Alexander Davidson, Esq., of Niagara. This is an excellent little work, got up with great skill and industry,—having engaged the attention of its author, at various intervals, during, we believe, the last twelve or thirteen years. It must, therefore, be regarded as a compilation pursued with much and patient care, and as free from those faults which usually accompany publications of this sort especially, which are composed in haste. The lessons are well adapted to our local peculiarities, and we are very sure they will be interesting as well as instructive to the learners. One of its greatest merits, however, is the infusion of a religious sentiment throughout, and the direct inculcation of the duty of loyalty.—On this ground, we sincerely trust that it will supersede the use of various foreign importations, which are any thing but calculated to instil the principle of loyalty to the crown, or to elevate the standard of Christianity.

The work has been published by Mr. Rowell, at the "Diocesan Press" at Toronto, and for clear beauty of type and typographical accuracy, does great credit to that establishment. We sincerely wish for it an immediate and extensive sale.

We have great pleasure in transferring to our columns the following gratifying letter, which appears in the *Colonial Churchman* of Nov. 12. The accumulated kindnesses experienced from his flock by the reverend gentleman who writes it, is an evidence of the faithfulness with which he has ministered to their spiritual wants, and proves that he has laboured with zeal and success to promote that holy influence around him, from which, as the fruit of Christian faith, we can alone expect so high an appreciation of its commissioned teachers:—

"Rectory, Miramichi, N. B. 26th Oct. 1840.

"Messrs. Editors.—The practice lately adopted by some of my Brethren—that of acknowledging certain presents received from their respective congregations through the medium of the *Colonial Churchman*, is so laudable a one, and coincides so completely with my own views and feelings, that I must request the favour of you to give the following a place in your next publication.

"When I next to England in the summer of 1836, for the recovery of my health and voice, I received numerous testimonials of respect and attachment for my person and ministry, among which I would particularize a gold ring and silver snuff-box (not to mention the delicate attention paid to my family during my absence.) On my return to Miramichi, in the fall of 1837, my beloved flock presented me with a Tea-Service of silver, accompanied with an appropriate inscription. Since which period, they really seem to have vied with each other, in endeavouring to minister to my necessities. Some of them proffered their services to cultivate the glebe—others supplied me with fuel for the winter season. A few sent me some choice wines, evidently with a view to re-establish my health and strengthen me to perform the duties of my sacred office.—Last winter, one of my worthy parishioners sent me flour and other necessaries; and another, observing that I was without a horse, has just been careful to supply that deficiency, by requesting me to accept a favourite one of his own.—Such signal marks of kindness and benevolence awaken those lively feelings of gratitude in my breast, which will not allow me to remain any longer silent. They speak volumes in praise of those individuals that compose my little flock, who will, I trust, never lose their reward, and may possibly stimulate other congregations to imitate their bright example.

"I have the honour to be,
Your obliged and obedient servant,
SAMUEL BACON, Missionary."

We are glad to learn from the same number of the *Colonial Churchman*, that this useful publication is to be issued once a week instead of once a fortnight, from and after the first of January next. We took the liberty of suggesting this arrangement about two years ago, from a persuasion that, while it served the cause of the Church, it would advance the interests of the paper itself. It will be an encouragement to our co-labourers to learn that a gain of nearly 700 subscribers was the result of the successive enlargements of our sheet in the second and third volumes, and of the means which this afforded of furnishing our readers with a copious abstract of the news of the day.

Under the proper head our readers will find a long, but interesting article of Colonial Intelligence. It has reference to a subject of great importance to agriculturists, the exaction of a duty on American produce, and the free admission into the United Kingdom of Canadian wheat and flour. The meeting at Richmond Hill—the proceedings of which we have inserted—was convened for the purpose of adopting an address to Her Majesty, and, by that means, directing the attention of the Home Government to a proposition which, if acted upon, will have the effect of materially enhancing the value of Colonial productions, and of contributing, in no small degree, to the prosperity of the Province.

Our readers will no doubt be gratified by the perusal of Mr. Gamble's letter in a succeeding column.

A Sermon in behalf of the "Society for converting and civilizing the Indians, and for propagating the Gospel among destitute settlers" will be preached, on Sunday next, at St. James's Cathedral, by the Lord Bishop of the Diocese.

COMMUNICATION.

For the Church.
THE KIRK OF SCOTLAND.

As the recent proceedings and present condition of the Kirk of Scotland have excited the most intense interest at home, both amongst Churchmen and Dissenters, and as the questions which they involve are such as do not solely refer to the Kirk, but affect the whole subject of national establishments of religion, and the spiritual independence of the Church, many of the readers of the *Church* will doubtless be interested by a notice of them. There is a very clear summary of the facts in the *New York Churchman*, of the 26th September, abridged from the *British Critic*; but as it contains some slight inaccuracies, and as the able editor of that very excellent paper has apparently not seen the arguments which have been used on both sides, I shall still further abridge his statement, and add some of the views of the proceedings which have been taken by different parties. A few preliminary observations will be useful.

In the outset, it is to be remarked, that the motives of neither party have ever been questioned; the leaders on both sides of the Kirk being men of distinguished ability and high character. On a benefice becoming vacant in Scotland, the patron is bound to present to the living a presbyter from the body of Presbyterians, i. e. men, who having studied for their literary qualifications and moral character, have been approved by them as candidates for the ministry, and licensed to preach. The presentee must undergo further examination by the Presbytery before ordination; but previous to his being taken on trial, it is necessary that a "call," or invitation to be their minister, should be given him by some of the parishioners. Upon this the Presbytery proceed again to examine him as to his literary and moral qualifications, and they are bound to listen to, and examine into, any charges or objections against him which may be made by any of the parishioners, and if they find them reasonable and

well founded, to reject him; when the patron is obliged to present another.

Whatever may have been the original intention of making a "call" necessary to the induction of a minister, it had long ceased to be any thing more than a ceremony, since the signature of a single parishioner was sufficient to give it effect. It was therefore, in 1834, enacted by the General Assembly, (the supreme ecclesiastical authority in the Kirk,) that if the majority of the male heads of families, communicants in the parish, objected to a presentee without giving a reason, the Presbytery should, by their simple veto, be precluded from taking him on trial, and therefore from any further steps towards his induction, and the patron should be required to present another.

The supporters of this measure (the Veto Act) have contended, that it was a full and final principle of the Kirk, that no pastor should be placed over a parish which was unwilling to receive him; that the legal recognition of the necessity of the "call" proved that the consent of the people was considered as essential; that there were many weighty objections to a minister which a country parish might be unable formally to state; that the very fact of his being unacceptable was of itself sufficient, in a great measure, to destroy his ministerial usefulness; and finally, that the independence of the Kirk in all spiritual matters, being not only essential to its purity, but acknowledged by the Constitution, the General Assembly had a jurisdiction in spiritual matters co-ordinate with that of the Legislature in temporal affairs, and had therefore a right to pass any law to regulate the procedure of its Presbyteries towards its Probationers.

On the other hand, it has been answered, that although attempts had been made in the Kirk to get rid of lay patronage, it had never been a principle to admit a right on the part of the people to object without stating their objections; that to give weight to objections which could not be stated was only to encourage unreasonable prejudices; that a man of education and piety, though he might be unacceptable at first, would soon win the regard of his people, as having a far often greater "call" than the man who gave the election of the minister to the people, who might reject every probationer till the one they chose was presented; that all the evils of a popular election would thus be introduced, and the feelings of the minority of the parishioners permanently embittered towards their pastor; that the more indifferent to religion, or heterodox in doctrine, the people were, the more likely were they to object to the person best fitted to reclaim them; that virtually to give the election to the people, was in so far to delegate to them a responsibility which the Church could not divest itself; inasmuch as men of independent minds would be deterred from entering the Kirk, where they would be subjected to the mere caprice of a majority of a parish, and, if vetoed in one, would probably for that reason alone be rejected in all; that whatever might have been the original intention of the "call," or however desirable it might be to make it more than the mere expression of the consent of the people, it was not in the power of the Assembly to alter the law on this subject, or to define what should constitute a "call," that as long as the law of the land looked upon a single signature as constituting a valid "call," all the Assembly could do would be to petition the Legislature to alter the law; that though the Kirk claimed, and the Constitution acknowledged in it, a spiritual authority not derived from the Legislature, yet that in the eye of the law it was really nothing more than a corporation, receiving certain civil privileges, and in return bound to discharge certain spiritual functions; that this compact implied the obligation to ordain to the charge of a parish the person presented by the patron, if the Presbytery found no disqualification on his part; that paramount as was the duty on the part of the Kirk to maintain its independence in spiritual matters, the foregoing obligation was not to be considered as an encroachment of the law had existed unchanged for 120 years without the Kirk feeling its independence compromised; and that, at any rate, those who thought it was, were at liberty to leave the establishment; if they could not procure an alteration of the law, which a plain duty forbade them to set at defiance.

The Veto Act, or Non-Interference Act, as it has also been called, was passed by the General Assembly in May, 1834. In the following August, the Church and Parish of Auchterarder became vacant, and Mr. Robert Young, probationer, was shortly after presented thereto by the patron, Lord Kinnoull. The local Presbytery having convened and examined a majority of the male heads of families, expressed (as has been assigned) to his reception, rejected him in form. Upon this arose the suit of Lord Kinnoull and Mr. Young against the Presbytery of Auchterarder before the Court of Session, the supreme civil tribunal in Scotland.—The real point at issue was the legality of that act of the Assembly, in obedience to which the Presbytery had acted. The importance of the subject excited the deepest interest. It was argued before the whole bench of judges, fifteen in number; the court decided, or "found" as it is expressed:—"That the defenders, the Presbytery of Auchterarder, did refuse, and continue to refuse, to take trial of the qualifications of the said Robert Young, and have rejected him as presentee to the said church and parish, on the sole ground (as they admit on the record) that a majority of the male heads of families, communicants in the said parish, have dissented, without any reason assigned, from his admission as minister; find that the said Presbytery, in so doing, have acted to the hurt and prejudice of the said pursuers, illegally, and in violation of their duty, and contrary to the provisions of the statute of 10 Anne, c. xii. entitled, 'An Act,' &c."

The sentence was pronounced in March, 1838, and confirmed, on appeal, by the House of Lords on May 3, 1839.

On May 30, 1839, the General Assembly of the Kirk met and passed the following resolution, by a majority of 204 to 155:—"The General Assembly having heard the report of the Procurator on the Auchterarder case, and considered the judgment of the House of Lords, affirming the decision of the Court of Session, and being satisfied that by the said judgment all questions of civil right, so far as the Presbytery of Auchterarder is concerned, are substantially decided, do now, in accordance with the uniform practice of the Church, and with the resolution of last General Assembly, ever to give and inculcate implicit obedience to the decisions of Civil Courts, in regard to the civil rights and emoluments secured by law to the Church, instruct the said Presbytery to offer no farther resistance to the claims of Mr. Young of the patron, to the emoluments of the benefice of Auchterarder, and to refrain from claiming the *jus devotum*, or any other right or privilege, in relation to the said benefice. And direct the principle of non-interference is one co-ordinate with the Reformed Kirk of Scotland, and forms an integral part of its constitution, embodied in its standards and declared in various Acts of Assembly, the General Assembly resolve that this principle cannot be abandoned, and that no presentee shall be forced upon any parish, contrary to the will of the congregation."

This is the ground taken by the Kirk, with Dr. Chalmers at their head. While, on the one hand, their resolution has been enlivened as exhibiting a noble instance of moral courage, and as affording an example of the spiritual independence which the Christian Church should, so far as it is without which it becomes a mere political machine; it has, on the other, been regarded as disingenuous and unfair, inasmuch as the decision of the law was not that the Presbytery had acted illegally, in opposing Mr. Young's claims to the emoluments of the living, but in refusing to take him on trial, [examination], and thus violating the implied compact between the Kirk and the State. It has been contended by Dr. Cook and a large minority, and by others, that although the Assembly might have passed the Veto Act, believing that it was not beyond their power to do so, yet when the question was decided in the negative by the law (the only judge of the force and meaning of the statutes of the realm), it then became the plain duty of the Assembly to abandon that Act, and, if they thought proper, to petition for such a measure by the Legislature, that the Church having pleaded upon the statutes before the Court of Session, and afterwards appealed to the House of Lords, was bound in common consistency and honesty to abide by that decision, that by claiming a power co-ordinate with that of the law, they were claiming an *imperium in imperio*, a principle which, if admitted, would tear up the very foundation on which the social structure rests; that the idea of there being a "conflict" between the Ecclesiastical and Civil Courts, was plainly absurd, inasmuch as there could be no other collision than what could take place between the litigant and the judge, and that they were therefore backing the laity in a democratic assumption of illegal power, and openly setting the laws at defiance.

Not content with a decision which affirmed the illegality of the course pursued by the Presbytery of Auchterarder, in rejecting Mr. Young, the plaintiffs amended their suit, and demanded that the Court should declare it to be the duty of the Presbytery to take Mr. Young on trial, and if qualified, to admit him to the parish. The Court accordingly issued a declaratory sentence, warning the Presbytery and that they were bound to take Mr. Young on trial, and if duly qualified, to ordain and induct him. The minority of the Presbytery proposed to acquiesce; but the General Assembly (to which the majority referred for advice) censured the minority, and directed the Presbytery ("as they shall answer it") to conform to the rule which they [the Assembly] had before enacted. The Presbytery complied; and Mr. Young, it is said, was to bring against them an action for damages.—Thus an issue is fairly made on this vital question.