

and its arguments considered as "unsatisfactory" by the Session as his written answer to the document served on him was declared unsatisfactory. But to characterize the circular as containing false statements, &c., without enquiry and proof, to depose the Appellant without specification of charges of what portions of the circular were held as false or unchristian, and without enquiry by the ordinary rules of the Church and on a regular charge and proof;— and to enter upon the minutes, such remarks as will be found there, appears to the Appellant to be contrary to the rules of the Church and to the practice of its Courts in matters of discipline. He is satisfied, however, that the body of the Session were led into the course adopted, from no inimical views to the Appellant, and with no desire to do him injustice, but he is obliged to treat the proceedings of the Session, as the proceedings of a Court, and not to enter upon details of the statements and conduct of individuals composing and to a large extent controlling the Court.

The Appellant believed, and therefore stated in the circular "that to stand at prayer was and now is the rule of our Church," and he therefore opposed the changes, and did so honestly and openly, and declined to retract or express regret for statements he made, and persisted in claiming an inquiry whether his statements were false, or unchristian. The present appeal is to test the regularity and justice of the proceedings and of the judgment of suspension. Directly it may affect only the Appellant, but to him it is of importance to submit to a higher Court questions of much personal interest to him, affecting so gravely his position as a member of Session, and of the Church.

But there is a much graver question indirectly raised by this appeal, and submitted to the consideration of the Presbytery, a question which must sooner or later be formally decided by the higher courts of the Church, viz: Whether under the law of the church as it stands at present, it is legal for a Kirk Session, to introduce or sanction such changes in the mode of worship as those referred to. This question the appellant submits to the Presbytery for such action thereon as it may see fit to adopt, with a view to the settlement of it as respects the St. Andrew's Church in the first instance, and for the guidance of Kirk Sessions generally.

If there exist now, a uniform, settled, mode of worship, sanctioned and recognized by the law of the Church and followed for ages by Presbyterians as a body, it is obvious that it would be destructive of uniformity to permit individual Kirk Sessions to deviate from this mode by a simple resolution, even if supported by a majority of the Church and Congregation not to speak of a majority only of votes "given in" as in St. Andrew's Church. The established mode ought to be followed until a change has been approved by the Superior Courts of the Church. Otherwise it is not easy to see to what length changes may be carried, if any one Session has power to make them as may seem best to itself.

One Session may be content with changes of posture such as are left open by the resolution of the Kirk Session of St. Andrew's referred to. Another Session may think that a liturgy is quite as desirable in order to attract men of culture and education into the Church. A third Session may introduce candles on the altar, or Church vestments, unknown in the present practice of the Church. Each Session might vote for such changes as seemed desirable to itself, and thus by degrees ignore, or set aside, the practice of the Church and the control of the Church Courts, whilst all the time professing to adhere to Presbyterian Standards and Polity. In a small Kirk Session it would only be necessary to vote the conduct of the minority in opposing the change unsatisfactory, and the deposition of one or two members might leave a clear major-