

Johnston cannot work harmoniously with the minister and his brother elders, he be requested to resign his office as Elder," shows that the charge is the motive of the resolution. In connection with the whole circumstances of this case, it is quite obvious that there was a disposition on the part of the Defendant, the Rev. Mr. Lang and some others to completely crush out the Plaintiff. The worst construction was put upon his conduct in enquiring why the 'Presbyterian' had not been delivered. But it is to be remembered that there was a proposition that night submitted to the congregation against which the Plaintiff had previously dissented when it came up in session, that he had the greatest interest in maintaining his views against the acquisition of said St. John's Church, and that it was natural that he should look upon the absence of the the "Presbyterian" in the pews as a suspicious circumstance. He maintained the position he took with warmth and in plain language, being a man of business and unacquainted with the rhetorical refinement in controversy that we would expect from a professional man like Defendant. We must not therefore judge Plaintiff's language by too severe a standard. There is no doubt that Plaintiff became excited after Defendant's charge and after he could get no retraction of it or exculpation from his brothers. He would not have been human if he had not become excited and indignant at their ignoble silence, when the feeling of the meeting was running high against him. He had taken precautions to ascertain whether or no the 'Presbyterian' had been sent to the Church, Mr. Lang's reason that he did not consider communion Sunday a proper day to distribute the Presby-