

kirk session, which is the primary element of the ecclesiastical system, is established in each parish, and consists of the parish minister as chairman and a certain number of laymen specially ordained to the eldership.

An appeal lies from the presbytery to the provincial synod of the district within the bounds of which the presbytery is situated. This synod consists of representatives of the different presbyteries included in the district, each kirk session sending its parish minister and one or more elders. The ultimate appeal lies to the general assembly, which is composed of representatives elected annually by every Presbytery in the Church, by the four Universities, and by the Royal Burghs. It consists of about 440 members, in the proportion of about 260 ministers to 180 elders. A Lord Commissioner, as representing the Crown, takes part in the meetings of the General Assembly; but the constitutional limits of his power are not exactly determined. When the Lord Commissioner dissolved the General Assembly in 1692 without naming another day for its meeting, he was met by a solemn protest from the Moderator, who affirmed "that the office-bearers in the house of God have a spiritual intrinsic power from Jesus Christ, the only head of the Church, to meet in assemblies about the affairs thereof, the necessity of the same being first represented to the magistrate." The assembly then fixed a day for their meeting. They did not meet on that day; but having been summoned by the King's writ, they met in 1694, and continued to sit regularly during the rest of the reign of William III.

The Church courts in Scotland have no executive power of their own for enforcing the civil consequences of their judgments; but the judgments can be forced by application to the civil court, which would, as a matter of course, give effect to them. And it is believed that in no case would the civil court entertain an appeal from a judgment of an ecclesiastical court on a question of doctrine, or enter on an examination of the soundness of such a judgment before enforcing its civil consequences; or, when a case is clearly within the province of the Church courts, interfere upon an allegation that the forms of ecclesiastical procedure had not been observed.

At the same time it is allowed that cases might arise of such flagrant departure from the

"form and purity of worship" established by the Act of 1707 as might be held to constitute a violation of the provisions of that Act, and consequently to justify on the failure to obtain redress from the General Assembly, an appeal to the civil court.

In Russia complaints against ecclesiastics are brought in the first place to the bishop. His preliminary decision is examined by his Consistorial Court, which constitutes a Court of First Instance, and their decision, together with the opinion of the minority of the court, if the court is not unanimous, is submitted to the bishop for confirmation. The consistorial courts consist of three to five ecclesiastics appointed by the Holy Synod with a staff of lay officials.

The consistorial courts appear to have complete and independent jurisdiction over the cases which fall within their cognizance. Their punishments "partake more of a moral character." Contumacy against their decisions is visited by temporary suspension or consignment to a monastery until repentance.

If a priest has been sentenced to deprivation he can appeal either to the Consistorial Court which decided the case or directly to the Holy Synod. A sentence of degradation from the ministry requires to be confirmed by the Synod. The Holy Synod has supreme authority, under the Czar, over all ecclesiastical affairs. It was constituted in 1721 by Peter the Great to exercise the authority and enjoy the privileges before vested in the patriarch. The language of the Emperor's edict is as follows:—"We appoint a Spiritual College, *i. e.*, a Spiritual Syndical Administration, which is authorized to rectify according to the regulation here following, all spiritual affairs throughout the Russian Church. And we require all our faithful subjects of every rank and condition, spiritual and temporal, to account this administration powerful and authoritative. \* \* \* \* \* We constitute members of this Spiritual College, as is here specified, one president, two vice-presidents, four counsellors, four assessors. The number of members has been since varied. It was fixed at six in 1763, and at seven in 1818, with "power to add to their number."

The judgment, when finally pronounced, is carried into execution by the Consistorial Court.

The peculiarity of the Russian system lies in