

must decide this *Spiritual* case, or do this spiritual duty, in the way *We* (the Court of Session) direct you, or keep back from doing spiritual duties when *We* command you. Surely, then, it is not these Presbyteries, or the General Assembly that are rebelling—they are rebelled against.

Besides, the Church Courts in Scotland, having, by the Civil Law, as I have stated, as much authority (even from men) to do their *Spiritual* duties as the Civil Courts have to do their *Civil* duties; it is worse than foolish to say that the Church, or its Ministers, are rebelling, because they do not as they are commanded by the *Civil* Court. Here is a comparison. The Court of Session has no authority or power to *hang* any one; but the Court of *Justiciary* has that power. Now, supposing the Court of Session would say to the Court of *Justiciary*, You must *hang* that man; Would it be *rebellion* in the Court of *Justiciary* to answer no, we will not *hang* him, at your bidding? No sensible person would call this rebellion. Or supposing that the Court of *Justiciary* sentenced a man to death; and that the Court of Session should say to the Court of *Justiciary* we command you to change the sentence,—would it be *rebellion* in the Court of *Justiciary* to say no, our sentence must stand? Surely it would not. Now, the Presbyteries and the General Assembly of the Church of Scotland, having their own duties allowed to them, just as much as the Court of *Justiciary* has its own duties set before it by the Law of the land,—when the Court of Session attempts to command these Courts of the Church, it is no *rebellion* in the Church to oppose the Court of Session. It is indeed a great misfortune to a country when such differences arise between Courts, and the only way is, to apply to Parliament, to set them

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