

*First.*—It will be admitted that the ordination and settlement of a minister is a purely spiritual matter. If it be not, there is nothing spiritual in a Church at all. Now, in this purely spiritual matter, the civil courts, (on the principle we have just explained), have interfered with the action of the Church in three different ways:—1st. They have issued a decree, requiring and ordaining a Church court to take on trial, and admit to the office of the holy ministry, (or in other words, to ordain), in a particular charge, an unordained presentee; this was done in the well known Marnoch case. 2nd. They have interdicted a Presbytery of the Church from ordaining and admitting to a pastoral charge; this they did in the Lethendy case. And, 3rd. They have found the members of a Church court liable in damages, as for a civil wrong, for obeying their ecclesiastical superiors, and refusing, at the bidding of a civil court, to proceed with the ordination and settlement of a presentee; this was done in the celebrated Auchterarder case. And submitting these simple facts, we would just ask any man of common sense, if the claim to such a right of interference,—no matter on what plea it is based,—is compatible with the free action of the Church in the ordination and settlement of ministers? Or what more could the civil courts do in the way of intruding into this department of the ecclesiastical province, except proceeding themselves to confer ordination?

*Second.*—It will be admitted again, that the suspension and deposition of ministers is a spiritual matter; there cannot be two opinions on this point. Well! in this purely spiritual department the civil courts have also interfered. They have interdicted a Presbytery from proceeding in the trial of a minister accused of fraud and swindling, as in the Stranraer case. They have interdicted another Presbytery from pronouncing sentence of deposition upon a minister found guilty of theft, by a judgement acquiesced in by himself, as in the Cambusnethan case. And they have suspended and set aside, and interdicted the execution of sentences of suspension and deposition, pronounced by the Church judicatories in the name of the Lord Jesus Christ, upon ministers found guilty of various offences, subversive of the purity and independence of the Church, and in violation of their ordination vows;—thus reponing to a spiritual office, and usurping the “power of the keys;”—as in the several Strathbogie cases. And will any man gravely pretend that this is only dealing with civil interests? Or, that a claim to the right of such interference is compatible with the exclusive jurisdiction of the Church in all spiritual matters? Were it not for the effect which moral obliquity and the