

portion of the charges therein contained is, the unchristian temper and disposition of the memorialist are so prominently distinguished that the Synod must have been justified in the summary rejection of this whole case, and thus have saved all the perplexing difficulties into which the Presbytery, as well as the congregation, have since been involved.

But if the Synod was satisfied on the simple reading of Mr. Kydd's short memorial, that the investigation therein prayed was one exclusively appertaining to the duties and functions of the Presbytery, if without reading one sentence of the voluminous supplementary matter, the Synod sent down the whole enquiry to this Presbytery, your memorialists cannot conceive upon what possible grounds of justice this Presbytery could ignore one important feature of that investigation—the personal status of the complainant, which must necessarily follow him into whatever Church Court he may choose to present himself. Had the Synod deemed it proper to enter upon the enquiry at all—had they even proceeded to read the whole of the memorialist's case—had they proposed to themselves any consideration of its merits, the objections to the memorialists' competency as a complainant would undoubtedly have been made, and will any one doubt that, if they had been proved, they would not have been sustained? And because the minister of St. Andrew's Church congregation, feeling himself to be the party principally affected by the charges made, voluntarily and generously waived the objection to the non-appearance of the complainant personally, and expressed his readiness to meet the complainant in any competent tribunal; and thereupon the Synod, recognizing the competency of the Presbytery to make the investigation, at once sent the whole case to them. Can it be contended that either the Synod or the minister of St. Andrew's Church congregation waived all the other objections which the laws of the Church provide against an incompetent complainant? In waiving the first preliminary objection, which might have been successfully taken, the minister of St. Andrew's Church, in effect, said: "I care not in what court my relations to my congregation are investigated. I am prepared to go into that investigation in Synod or in Presbytery; but before the investigation initiated I claim the protection of those laws which the Church has ordained for the safety of its ministers from wicked assaults. If the Synod declines the enquiry and requires that it shall be made by the Presbytery, in the first instance, then I claim all the privileges from the Presbytery which would have been readily conceded by the Synod. I claim the privilege of knowing every assailant, the right to know his worthiness, his fitness to be a contestant; and with these privileges, which would be vouchsafed to me by the Synod, I am prepared to make my defence before the Presbytery."

We contend that the Synod denied none of those privileges to our minister. We contend that their whole proceedings shew that the whole case for and against the complainant was kept entire, and reserved for the investigation and consideration of this Presbytery; and we respectfully submit that the Presbytery of London, at their sitting in September last, committed the first fatal departure from the laws and practice of the Church, by ignoring these rights to our minister, which had been reserved by the Synod.

Nor was the irregularity then committed confined to the ignoring of those privileges which belong to every minister of the Church. Your memorialists as a congregation were deprived of the opportunity of maintaining their own position in the proposed investigation. Had the Presbytery which met at Goderich, in the month of September last, been simply an ordinary Presbytery visitation, held for the purpose of an enquiry into the condition of