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EPISCOPACY AND PRESBYTERIANISM.

THE CASE OF THE REV. MESSRS. LEACH AND RITCHIE.

(From The Toronto Herald, 19th January, 1843.)

Had the Presbytery of Toronto allowed the Rev. Mr. Leach and the Rev. Mr. Ritchie to have resigned their pastoral charge in peace, and to have left the Presbyterian Church in quietness, we should have carefully avoided intermeddling in what was a matter entirely beyond the pale of either our censure or approval. But as the Presbytery has thought proper to pursue a contrary course, and as all our sympathies have been awakened by the intolerance it has shown, and the persecution it has practised towards these gentlemen, we should be stemming the current of our feelings and doing violence to our opinions, were we to remain silent upon the late proceedings in St. Andrew's Church of this city. This is a task which we freely acknowledge is entered upon not without reluctance—indeed, there are many considerations which render it even painful—it is our desire to avoid, so far as may be, discussions that may grate upon the national or religious prejudices of Scotchmen and Presbyterians; but we are impelled, as much by a sense of duty to the Church into whose communion Messrs. Leach and Ritchie propose to enter, as by a sense of justice to these gentlemen, to render such aid as may be in our power towards vindicating them from the calumnies so bitterly hurled against their character, and to shield them from the arrows launched after them as they went forth from their persecutors. On Tuesday, Dec. 27th, 1842, the Presbytery met, and having casually learned that it was an Open Court, we attended for the purpose of noting its proceedings. The members of Presbytery were, at the time of our arrival, assembled in a small apartment called, we believe, the Session Room, where a few ministers sat awaiting. In consequence of the absence of the party who was to preside at the citation on Mr. Leach, some delay occurred, and eventually it was determined to proceed without him, it being assumed by the Presbytery that Mr. Leach would raise no objections on that score. The Presbytery, and those who were present, then adjourned to the body of the Church, when, the Moderator having taken his seat, the roll was read, prayer was made, and Messrs. Leach and Ritchie, who were in attendance, were called upon to answer to the charges preferred against them by the Presbytery.

For the proper understanding of the case, it will be as well that we should briefly narrate the antecedent events which led to the present proceedings.—On the 15th November last, Rev. Mr. Leach and I took his case throughout as involving more or less that of Rev. Mr. Ritchie) addressed a letter to the Presbytery tendering the resignation of his pastoral charge at York Mills, and signifying his purpose of no longer continuing a member of the Church of Scotland—a copy of this letter is appended below (Paper No. 1). The Presbytery thereupon appointed a Committee to hold a "brotherly conference" with Mr. Leach regarding the subjects contained in his letter, and, on the 6th Dec., a meeting took place accordingly; the proceedings at which will be found in Paper No. 2, appended below. The result of this conference was soon apparent, for, on the 13th of the same month of Dec., a sort of indictment (technically termed in the Scotch Church, "a Libel") was drawn up and agreed to by the Presbytery. The accusations contained in that "Libel," Mr. Leach was cited to answer. The Church was piercingly cold, and looking at the shivering forms of the few who were assembled, and considering the occasion that brought them together, it was difficult to prevent the mind reverting to the scenes enacted in the stern and severe times of the Covenant. The Moderator (Rev. Mr. Lambie) and the Rev. Messrs. Bell (Presbyter Clerk), W. Rintoul, George, Galloway, and Barclay (the newly-inducted minister of St. Andrew's Church), composed the jury by whom Mr. Leach was to be tried, and it was impossible to avoid the impression that neither a dispassionate enquiry nor an impartial verdict was to be expected. The "Libel" was read by Rev. W. Bell, who dwelt with much emphasis on those passages which were thought to bear against the accused—a copy of the "Libel" will be found below (Paper No. 3). Mr. Leach was then called upon for his defence, and produced a written paper which he was about to read—a discussion arose as to the propriety of his being permitted to do so; it was, however, decided that he should read it (the Moderator showing in the discussion a gentlemanly and kindly feeling), it being understood it should then become the property of the Presbytery. Mr. Leach accordingly made his reply to the charges, and we can say, with sincerity, that it was read feelingly and impressively, and upon unprejudiced minds its effects must have been most forcible. Having concluded, Mr. Leach walked up with a firm step and dignified manner, and laid his defence upon the table. A copy of the reply will be found below, No. 4. The question of relevancy then came up. Mr. Leach objected to the terms of the libel, admitted the facts, but denied the inferences attempted to be deduced from them.—The Presbytery found the "Libel" relevant. Rev. Mr. Ritchie, against whom a nearly similar libel was found, made no other defence beyond avowing that, so far as the cases coincided, he concurred in the sentiments just expressed by Mr. Leach; and disclaiming the charge of levity and insincerity, declared that he had acted in the sincerity of his heart, and conscientiously, as believing it to be in accordance with the doctrine promulgated by the Saviour. The "Libel" in his case was also found relevant. Some discussion took place; but as the same points were again brought forward, at a subsequent part of the proceedings, it is not necessary to notice them here. A conference was proposed, and accepted by Mr. Leach, but declined by Mr. Ritchie, and the Presbytery withdrew, having adjourned to half-past six in the evening.

At the Evening Session, the Moderator's Chair was taken by the Rev. Mr. Galloway, his former occupant, the Rev. Mr. Lambie, having gone home. And here we take occasion to record our testimony to the impartiality of this gentleman's conduct as regards his official duties, and his courteous demeanour towards Messrs. Leach and Ritchie personally. The conference having reported that they had a meeting with the accused parties, but found them unwilling to either retract their opinions, or recede from their present position, the Rev. Mr. Bell suggested that the accused should be required to answer guilty or not guilty to the offence charged in the libel, and Mr. Leach being so questioned, replied that he admitted all the material facts, but denied the inferences; and pleaded guilty to having stated as his settled conviction,

1st. That Presbyterian ordination is not valid; 2nd. That the Presbyterian Church is not the Church of Christ;

3rd. That the form of government of the Presbyterian Church is subversive of discipline and order.

On the motion of Mr. George, the charges were read seriatim, and Mr. Leach pleaded *not guilty* to the first—admitted having said what appears in the other charges, and pleaded guilty to saying so, but not guilty as regards the facts of heresy, schism, &c. A long discussion ensued, in which it was attempted to be shown by the Presbytery, that "inconsistency" was proved by Mr. Leach having at his ordination taken certain vows and obligations which implied an antinomy with Church Government, while in his letter

of Nov. 15th he said that, until lately, he had not been able to devote "any time" to the question, and that "levity" was evident by the fact that he had only two days previous to his letter of resignation performed the functions of the ministry. The alternative attempted to be forced upon Mr. Leach was, that if he sincerely discharged the duties of the ministry only two days previous to his resignation, he was rash and inconsiderate in resigning; but that if his resignation was the result of consideration, the two intervening days could not have produced it, and therefore he was guilty of profaning the ordinances of religion, by administering them when he considered he had no authority for doing so.

The finding the "libel" proven then came up, and after a long discussion, marked by an unseemly warmth in some of the speakers, it was found proven, all the Presbytery voting in support of it. The accused party having thus been found guilty, sentence of deposition was read in the usual form, and the Presbytery separated.

Had not our senses testified to the reality of what we witnessed, we could scarcely have believed that, in the nineteenth century, a scene like that which St. Andrew's Church presented on the 27th December, could have taken place; and if in the morning the mind reverted to the times of the Covenant, the proceedings of the evening forced the memory back to the days when Inquisitions and Auto-da-fes branded the irrefragable convictions of conscience as heresy and schism; and sought by fire and faggot to stay the progress of reformed opinions. Assembled within the walls of a place of worship, five men sat in judgment upon the belief of a brother, and, after invoking the blessing of God upon their acts, proceeded to punish, so far as they durst, the difference of opinion he conscientiously entertained.

Most persons have considered impartiality a necessary ingredient in judicial proceedings; but how far this was observed in the present instance, may be gathered from the fact that the Presbytery of five sat in the triple character of accusers, witnesses, and jurors—the Presbytery which framed the "libel," sat in judgment on its allegations; and the Presbytery which the accused parties had provoked by leaving, erected itself into a tribunal of condemnation—throughout all their proceedings, from the receipt of Mr. Leach's letter of resignation to the passing sentence of deposition, the minds of the Presbyterians had been made up—a foregone conclusion had been arrived at ere they came into court—and, upon so palpable a mockery of judicial proceedings, they find Messrs. Leach and Ritchie guilty—of what? of worshipping God according to the dictates of conscience! and in all the intolerance of narrow minds, they proceed to depose those who had already left their communion!

It might also have been expected that previous to pronouncing sentence against what they called "the heresy and schism" of Messrs. Leach and Ritchie, the Presbytery would have advanced some argument to show that the opinions they so rashly condemned were heretical and schismatic—but we listened in vain for such arguments. The only approach to argument was made by Mr. Rintoul, and his remarks went more to show the effects Mr. Leach's opinions would have upon the Church of Scotland, than to demonstrate that they were heretical or schismatic. Unless it were admitted that the Church of Scotland was alone the Church of Christ, and all other persuasions heretical and schismatic, Mr. Rintoul's argument was not worth a straw.

While condemning Mr. Leach for "levity," did it occur to one minister, that in a Court which he himself designated "A Court of Jesus Christ" it was worse than "levity" to illustrate his philippic by allusions to "crocodile and dry goods?" and, while another denounced the heresy of casting off "sovereign vows and obligations," is it not wonderful that his own conscience does not prick him for similar conduct? It is fortunate for Messrs. Leach and Ritchie, that their reverend brethren had not the power to execute judgment—nor surely would they have suffered at the stake for their opinions. The spirit of a Bonner aimed one reverend speaker; and the fires of Smithfield gleamed in the excited language of another.—Of the four gentlemen who took part in the so-called trial of Messrs. Leach and Ritchie for an alleged offence committed against themselves, Mr. Rintoul was the only one who demeaned himself as a gentleman—his tone it is true was warm and severe, and his language was too frequently marked by asperity, but his general bearing was courteous. But as regards his arguments, we would ask him where would have been the Protestant faith? where the churches of the Reformation? and where the Church of Scotland itself? had not the obligation of solemn vows and engagements been considered as nothing when compared with the truth! Had not Wolfe acted upon his conscientious convictions, the Church of Rome might to this hour have maintained its sway. Mr. Barclay took no part in the proceedings, beyond voting with the rest of the Presbytery. Mr. Galloway duly acquitted the office of Moderator. On the shoulders of Messrs. Bell and George devolved the pleasing duty of vituperation and intolerance. As we listened to the vehement ravings of the one, the embodied spirit of some trooper of the commonwealth stood before us; and as the other poured forth a wild torrent of words, disconnected and unmeaning, it required no stretch of imagination to believe Bothwell Brigg was near at hand, and that some Corporal Pound-text was exhorting his fellows to be up and doing even unto slaying.

The censure passed by these reverend gentlemen, cannot affect Messrs. Leach and Ritchie in the estimation of any right-minded and unbiased man. It may gratify the harsh feelings of some; but we cannot think so lightly of the Church of Scotland as to think that the vindictive conduct of four interested persons, (three of whom in learning, talent and eloquence are quite inferior to the object of their persecution) can afford pleasure to many.—The Church of Scotland in its day has suffered oppression enough to have taught it mercy; and it ought to be the last to raise a persecuting howl against any who through the force of conscience may have found other ministrations to sit under, and sought other Churches in which to worship.

(Copy of Mr. Leach's Letter of Resignation.)

No. I.

Toronto, November 15, 1842.

Rev. and dear Sir,—I have, through you, to request the Presbytery of Toronto to accept my resignation of the charge of York Mills; and I hereby signify my purpose of continuing no longer a minister of the Church of Scotland.

It is but a proper respect to those with whom I have so long been associated to state the reasons that have moved me to determine upon this separation.

It was not until lately that I was enabled to devote any time to the important question of Church Government; and now, after the most serious consideration which it has been in my power to bestow on the subject, I have arrived at the conclusions, that the ordination of Ministers in the Presbyterian Church is not authorized by the Word of God—and that it is not conformable to the practice of the Church in the earlier times.

Besides this, it is with me a matter of perfect conviction, that the Presbyterian form of Church Government is practically destructive of order—that the right exercise of ecclesiastical authority cannot be maintained by it, but that on the contrary the relation between the Pastor and the flock is inverted.

With these views I have, at great sacrifice of natural feeling and from no unworthy motive that I am conscious of, resolved upon the course which I have now taken—persuaded, that by continuing a Minister of the Church of Scotland, I should be doing violence to my own convictions, and should be refusing to give my testimony in favour of the Episcopal form of Church Government, while I believe it to have the sanction of those who were divinely authorized to establish it for the defence and advancement of the interests of the Kingdom of God among men.

With the most friendly feelings towards you, and every member of the Presbytery of Toronto,

I am, Rev. and dear Sir,
Your's most truly,
WILLIAM T. LEACH,
Clerk of the Presbytery of Toronto.

To the Rev. the Moderator of the Presbytery of Toronto.

No. II.

Copy of Part of a Letter addressed to Mr. Leach, by the Clerk of the Presbytery of Toronto.

Toronto, 21st November, 1842.

DEAR SIR—I am directed by the Presbytery of Toronto to inform you, that a Committee of Presbytery has been appointed to confer with you, "in a brotherly way," on the subject of your letter to the Presbytery last week; and that the Committee will meet for that purpose in the Session Room of St. Andrew's Church, Toronto City, on Monday, the 5th Dec., next, at 5 P. M., and to request, as I now do, your attendance with them for the aforesaid purpose.

(Signed) ANDREW BELL,
Presbyter Clerk.

A brief Minute of the Proceedings at this Conference.

The request conveyed by the Clerk of the Presbytery's letter, was punctually complied with, and the following account of what passed, being given from memory, must be regarded as a very compendious one. Mr. Ritchie, who was present, and a party as much interested in the matter as Mr. Leach, bears testimony to its general accuracy.

The business of the evening was commenced with a prayer by the Moderator. The less solemn part of the conference followed. After a little hesitation, some question, from one of the Committee, gave Mr. Leach occasion to say, that the fact stated in his letter of resignation, was the best explanation of the course of conduct taken by him, viz.—"That the ordination of ministers in the Presbyterian Church is not authorized in the Word of God," and that if they could shew him the contrary, he was open to conviction, and would continue without hesitation in the religious communion he had previously professed, and that for this end, all he would require from the Committee would be, to show him a single unexceptionable instance, in the Word of God, of an ordination having taken place, without the agency of one, at least, of a superior order of clergy.

A conversation ensued about the signification of the words "Presbyter," "Bishop," "Overseer," &c. It was stated, and correctly, that "Presbyter" were sometimes named "Bishops," and "Bishops" "Presbyters;" and a considerable part of the conference passed in plodding amidst a jumble of words, which have no bearing at all upon the matter in question. It was contended on the part of Mr. Leach, that the words "Bishop," "Presbyter," &c. were of no force in the argument,—that these words were not then appropriated as they are now—that they gave no specific designation—and that the only matter to be controverted was, the existence of a superior order, who alone, had the authority of ordaining others to the office of the ministry.

Scotch Puseyism, and the doctrine of the Apostolical Succession, were then adverted to. The absurdity of any such thing as an Apostolical Succession was undertaken to be shewn by one of the committee. Where, it was asked, are now the miraculous powers with which Christ endued his Apostles? Where are their successors, who inherit the Spiritual graces which Christ bestowed upon them? Why the Apostles were inspired by the Spirit of God. The inability to do justice to the eloquence of the Rev. Gentleman who conducted on the part of the Presbytery at this part of the conference, is to be regretted; and, if in what he said, there was any additional argument against Apostolical Succession, (which certainly was not perceived at the time) the omitting it would be cause of much greater regret. These arguments, if so they may be called, were answered by Mr. Leach to the effect substantially, that it was not asserted that the Successors of the Apostles inherited "their personal qualities;" their miraculous powers; or even the same magnitude of spiritual graces, by which the Apostles were so eminently qualified for their mission—that to assert these was unnecessary to the maintaining of the position assumed, viz.: that there is no instance in the Word of God of a Presbyterian ordination; that the Apostles must have had Successors, to whom they intrusted the government of the Church, if any government was to be appointed; and the power to ordain, if any spiritual privilege was inherent in ordination; and, that the question was, whether the individuals, to whom these powers were intrusted, belonged to an order in the church, superior to others, and were regarded as having a legitimate authority over them. Reference was here made to some of the instructions of St. Paul, to Timothy and Titus, "Ordain Presbyters in every city," "To receive not an accusation against them, but before two or three witnesses"—"to rebuke them," if needs were &c. &c. &c.

I Tim. ii. 14.—"Neglect not the gift that is in thee, which was given thee by prophecy, and the laying on of the hands of the Presbytery," was cited by a member of the Committee as an instance of Presbyterian Ordination. But who composed the Presbytery? it was asked in reply. If it were the unexceptionable instance required, it ought to be made manifest by the Committee that no Apostle was present upon the occasion; for that the Apostle St. Paul was indeed present, seemed, at least, highly probable from his admonition to Timothy elsewhere given—"Sit up the gift of God which is in thee, by putting on of my hands." It was urged that it was the part of the Committee to shew that this was in reality an unexceptionable instance of an ordination where no Apostle had a hand in the transaction. No, it was replied,—it belongs to you to shew that some Apostle had.

"It certainly does not."

"It does."

"It does not."

"It does Sir; it is enough for us that the Presbytery ordained."

"It is not enough for me—will you take Calvin's interpretation of the passage?"

"No we will take no man's interpretation of it."

Here followed some criticism on the prepositions *para* and *dia*.

This not being regarded by Messrs. Leach and Ritchie as the unexceptionable instance required, a member of the Committee cited that of the ordination of Paul and Barnabas in the Church of Antioch, Acts, xiii.—It was argued by one of the Committee, that this was an ordination by Presbyters; that there was no mention except this, of the ordination of Barnabas; that there was no mention of Barnabas having preached the gospel before this transaction; and, as he is known to have preached afterwards; therefore, that this ordination was Barnabas's ordination to the ministry.

To this it was replied, that the case mentioned was not an ordination to an office, but merely an appointment to a temporary mission, the narrative of which follows the record of the appointment, and is concluded

in these words:—"And thence sailed to Antioch, from whence they had been recommended to the grace of God for the work which they had fulfilled." Acts xiv. 26. Besides, that St. Paul, being an apostle, could not then be ordained to the office of the ministry—and that, besides this, though no mention is made of his having preached before, it could not be concluded that he was not ordained, and did not preach before; a very irrelevant conclusion it would be.

This same instance was reverted to three or four times in the course of the conference.

The next matter of controversy regarded those "elders that ruled well," and were therefore to be "counted worthy of double honour." "That rule well"—which implied it was said, that these Elders or Presbyters had authority over others.

True, but it neither expresses nor implies a denial of others having authority over them, that you have authority to honour those Presbyters that rule well; to "rebuke them" and "rebuke them sharply," if need be; you have authority superior to that of those whom you "honour" or "rebuke."

Occasion was taken by Mr. Leach at this stage of the controversy to refer to the opinions of some of the chiefs of the reformation, as favourable to episcopacy. The light that might have been shed upon the question, by such authorities as these, was apparently not noticed by the committee. A grateful silence ensued, till something was said by Mr. Leach as to the fact, rather remarkable as it seemed, that the form of the Church of Christ should have been Episcopal for fifteen hundred years. This was at once contradicted by the committee; and the assertion hazarded that for three hundred years from its establishment, it was Presbyterian! The authority of St. Jerome was adduced to corroborate this remarkable allegation: but when it was asserted on the other hand, that St. Jerome himself denied the authority of a Presbyter to ordain, this authority was not further insisted on.

After some conversation about the Waldenses, the controversy terminated. The question of Episcopacy was no longer argued; and the Moderator declared that there was no probability of arriving at a satisfactory conclusion, or words to that effect. This "conference, in a brotherly way," which Mr. Leach had been "requested to attend," suddenly changed its character. Preparations had been made for much more serious business; and, when the clerk of the Presbytery was ready to take down in writing the questions and answers, various questions were put to Mr. Leach with great solemnity, one after another, and the greater part of them answered with perfect simplicity—Mr. Leach, for one, never having dreamed that these answers were to be clutched "in the way of a brotherly conference," to form the substratum of a calumnious and persecuting judicial proceeding against him.

Among the questions put in this manner was the following:—Do you consider the Church of Scotland a Church of Christ? The answer given to this, which seems to have given much offence, was in these words—"It is a painful and mortifying fact that it is not." The seeming illiberality of this opinion may appear to many reprehensible, but they ought to remember that it was not thrust upon the Committee by Mr. Leach, that it was given in answer to their own question and by them made public. Upon reflection they may even admit the possibility of its being correct. The Committee were well aware before putting the question that had Mr. Leach considered the Church of Scotland a Church of Christ, there could be no just cause for leaving it. What absurdity to speak of numbers of Churches of Christ, or of one Church of Christ being a better Church of Christ than another; there is but one Church of Christ which has any title to expect the fulfilment of the promises which he gave to his Apostles, and other Churches are secessions from the Church of Christ, and the Church of Scotland is such secession.

No. III.

Copy of "Libel" found by the Presbytery against Rev. Mr. Leach.

Mr. William Turnbull Leach, Minister of the Church and congregation at York Mills, in the Presbytery of Toronto, you are indicted and accused at the instance of the Moderator and members of the said Rev. Presbytery of Toronto. That, albeit, by the word of God and the laws and discipline of the Church of Scotland, inconsiderateness, insincerity, and irreverence in making solemn vows and engagements—also levity and irreverence in regard to the obligation of such vows and engagements after they have been made—and rashness and inconsiderateness in casting off the same—and moreover the holding of heretical and schismatical opinions that no ordination of ministers is valid, but that conferred by, or in presence of a prelatial bishop,—that the Church of Scotland is not a Church of Christ—and that the ordination of ministers of the Presbyterian Church, is not authorized in the word of God—are offences most injudicial to the interests of morality and subversive of the fundamental principles of the Gospel dispensation, and of charity and peace among Christians—and severely punishable by the laws and rules of the Church.

Yet true it is, and of verity, that you, the said William Turnbull Leach, are guilty of the said offence or of one or other of them. In so far as previously to your being licensed to preach the Gospel, you solemnly declared that you owned the Presbyterian Government and Discipline established in the Church of Scotland, and that you were persuaded that the said discipline and Church government are founded upon the Holy Scriptures, agreeable thereto—and solemnly promised that you would submit yourself to the said discipline and government, and would never endeavour directly or indirectly the prejudice or subversion of the same, or follow any divisive course therefrom—and you solemnly renounced all doctrines, tenets or opinions contrary to, or inconsistent with the said discipline or government—such declarations, promises, and renunciations, being invariably required of, and made by successful candidates for license in the Church of Scotland; and previously to your ordination to the holy ministry, and previously to your admission as minister of St. Andrew's Church, Toronto, and previously to your admission as minister of the Church at York Mills, you did on each of these three occasions successively, make solemn declaration in the presence of God and His servants in the ministry, that you were persuaded that Presbyterian government and discipline of this Church are founded upon the word of God, and agreeable thereto, and did promise to submit to the said government and discipline, and to concur with the same, and never to endeavour directly or indirectly the prejudice or subversion thereof, but to the utmost of your power, in your station, to maintain, support, and defend the said discipline and Presbyterian government by Kirk Sessions, Presbyteries, Provincial Synods and General Assemblies during all the days of your life,—and you did further solemnly vow and engage, that according to your power, you would maintain the unity and peace of this Church against error and schism, notwithstanding of what-ever trouble or persecution might arise, and that you would follow no divisive course from the present established discipline and government of this Church—such declarations, promises, and engagements being invariably required of, and made by ministers at their ordination and admission in the Church of Scotland; and yet, notwithstanding the distinct and specific character of these solemn vows and engagements so often repeated by you, and at considerable intervals of time, you do now declare in your letter to the Presbytery of Toronto, dated 15th November last, that it

was not until lately that you were enabled to devote any time to the important question of Church government, and that you have now arrived at those conclusions, that the ordination of ministers in the Presbyterian Church is not authorized in the word of God, and that it is not conformable to the practice of the Church of Christ in the earlier times. And inasmuch as that notwithstanding you did at the several times above specified enter into the solemn vows and engagements above specified, as also the various other solemn vows and engagements required of ministers of the Church of Scotland at ordination and admission, and more especially that you did renew the same on the 16th day of August last, at your admission to the pastoral charge at York Mills, and in virtue of the ministerial and pastoral character and powers conferred upon you in consequence of said vows and engagements on your part, you did continue in all respects to avail yourself of the emoluments and privileges, and to exercise the functions of a minister of the Presbyterian Church of Canada, in connection with the Church of Scotland, until within two days of the time when you wrote a letter to the said Presbytery of Toronto, requesting them to accept of your resignation of the charge of York Mills, and signifying your purpose of continuing no longer a minister of the Church of Scotland; and in particular, that you did sit and vote in the Synod of the aforesaid Church, at its late session, holden in the city of Montreal, between the 7th and 12th days of July last, and in the Presbytery of Toronto at its late meetings at York Mills, on the 16th day of August last, and at Horbury, in the township of Esquesing on the 16th day of September last, at which latter meeting you took part as a member of Presbytery, in the solemn service of inducting a minister to the pastoral charge of the congregation at that place; as also you did on Sabbath the 6th day of November last, or on one or other of the days of that month, or of October immediately preceding, preside at and take part in the ordination of certain members of the Church at York Mills, to the office of ruling elders; and farther, that you did, on Sabbath the 13th day of November last, dispense the Sacrament of the Lord's Supper to the members of the Church at York Mills, and throughout the whole series of the acts and ministrations above specified, you did not on any occasion, or in respect of any of the said acts and ministrations above specified, manifest or express to any of your brethren of the Synod, or Presbytery, or Kirk Session, any hesitation or doubt as to the validity and propriety thereof; and farther, in the course of a conference between a committee of the Presbytery of Toronto and you, on the 6th day of December instant, you did declare and allow to be taken down in writing as your declaration, that after you entertained doubts, you did not consult any of your co-Presbyters, yet you nevertheless did, on the 15th day of November last, and within three months of your solemn renewal of your ordination vows as aforesaid, and within two days after the last specified and solemn ministerial act of your dispensation of the Lord's Supper, and according to your own declaration as above specified, without consulting any of your co-Presbyters after you began to entertain doubts, write a letter to the Presbytery of Toronto, in which as aforesaid you signify your purpose of continuing no longer a minister of the Church of Scotland, on the ground, as you state, that after the most serious consideration which it had been in your power to bestow upon the subject, you have arrived at those conclusions—that the ordination of ministers in the Presbyterian Church is not authorized in the word of God, and that it is not conformable to the practice of the Church of Christ in the earlier times—further declaring in said letter, that it is with you a matter of perfect conviction, that the Presbyterian form of Church government is practically destructive of order; that the right exercise of ecclesiastical authority cannot be maintained by it, but that on the contrary, the relation between the pastor and the flock is inverted, and that you are persuaded that by continuing a minister of the Church of Scotland, you would be doing violence to your convictions, and refusing to give your testimony in favour of the Episcopal form of Church government, while you believed it to have the sanction of those who were divinely authorized to establish it for the defence and advancement of the interests of the Kingdom of God among men, thereby manifesting levity and irreverence in regard to the obligation of the solemn vows and engagements you had repeatedly made and so recently renewed and acted on as aforesaid, and rashness and inconsiderateness in casting off the same, and in coming to conclusions and admitting convictions directly opposed to and subversive of said solemn vows and engagements, and the whole principles and powers involved therein, within two days after you had engaged in the most solemn acts, indicating a full persuasion of the obligation of said vows and engagements and the validity of the principles and powers involved therein; or otherwise, if you had come to the said conclusions, and entertained the said convictions previously to your dispensation of the Sacrament of the Lord's Supper, on the 13th of November last as aforesaid, and consequently did not regard yourself as possessing the powers of an ordained minister, you did in said dispensation of the Lord's Supper, in such circumstances, profane the most important and sacred functions of the holy ministry, and the most sacred rite of our holy religion.

And in so far as you did declare it in your said letter to the Presbytery of Toronto, of date 15th November last, to be your conclusion, that the ordination of ministers in the Presbyterian Church is not authorized in the word of God, and did use and allow to be worded as containing your deliberate opinion and the following statements and words in the course of conference between a committee of said Presbytery and you, on the 6th day of December instant, viz.—

"That it was a painful and mortifying fact, that the Church of Scotland was not a Church of Christ"—and in the course of the said conference did also expressly avow the opinion "that no ordination is valid but that conferred by or in presence of a prelatial bishop." You do entertain and hold the heretical and schismatical opinions that the ordination of ministers in the Presbyterian Church is not authorized in the word of God,—that the Church of Scotland is not a Church of Christ, and that no ordination is valid but that conferred by or in the presence of a prelatial bishop—these being grievous errors, clearly contrary to the word of God and the mind of the greater part of the reformed Churches.

All which or part thereof being found proven against you, the said Rev. William Turnbull Leach, by the said Reverend Presbytery of Toronto, before which you are to be tried in terms of your own public confession, or after public and competent proof, you, the said William Turnbull Leach, ought to be punished according to the rules and discipline of the Church, and the usage observed in such cases for the glory of God, the edification of the Church, and to the terror of others holding the same sacred office, not to commit the like offences in all time coming.

Signed at Toronto, in name, presence, and by appointment of the Presbytery of Toronto, this thirtieth day of December, eighteen hundred and forty-two years, by

(Signed) Wm. RINTOUL, Mod. P. T.
AND W. BELL, Presbyter Clerk.

No. IV.

Copy of Rev. Mr. Leach's reply to the "Libel."

I cannot say that previously to your receiving my letter of resignation, I anticipated from you a right construction of my motives—I should be happy if I

could say so. On the contrary, I apprehended that your resentment would be excited to rather an inordinate degree, and the event has but too well justified the apprehension. How much better would it have been had you suffered me to act quietly according to my own conviction of duty—following, in a case of such inferior importance, the conduct of the Presbytery of Edinburgh in the case of Mr. Marshall.

It is certain indeed, that the case was of such a nature, as to try in you somewhat severely that Christian Charity, which thinketh no evil, and that wisdom which might best serve the cause of your God and mine—It was a case most likely to stir into action the worst of human passions—you were assailed at a point where it is natural to suppose you would be particularly sensitive—To find your right to the position which you hold in the religious societies, over which you severally preside—to find that right, so securely and confidently held, questioned—to be charged with the error of mistaking so many thousands by your influence and example, to find these, and many other things obviously implied or asserted, in my letter of resignation, could hardly fail to evoke a spirit of opposition and resentment. But, these very circumstances, which I have mentioned, ought to have made you the more guarded in your proceedings against me. If you had acted prudently you would have taken care, that every accusation you made was supported by unquestionable evidence—you would have avoided the suspicion of being actuated by resentment; and, far more cautiously still, would you have shunned even the appearance of having recourse to calumnies in order to disarm my testimony to the truth—the temptation to do so was undoubtedly a strong one, and if it appears you have been guilty of it, I trust I can forgive it.

First Accusation.—That I am guilty of inconsiderateness, insincerity and irreverence, in making solemn vows and engagements—see date of licence and ordination, &c. &c.

Upon the supposition that this accusation were just, it would be extremely gratifying to learn by what remarkable species of evidence the Presbytery of Toronto arrived at their conclusion. Unless the Presbytery desire me to believe what they say, simply because they say so, I hardly know what they mean. I cannot indeed forbear from expressing my surprise that the Presbytery should have had so clear a vision into the thoughts of a person's heart when he placed himself under the obligation of solemn vows and engagements. This is a circumstance which really perplexes my understanding, more especially as some of these solemn vows and engagements were made by me, before any member of the Presbytery, as I suppose, knew that I had a being! when certainly not one of them was present and probably far distant; and then, how they should have forgotten them for so many years, and only remembered them the other day, is a matter truly wonderful,—how all this preternatural knowledge should so suddenly be concentrated, in order to cast upon me the reproach of "irreverence and insincerity and inconsiderateness," would appear to me the most remarkable thing of all, did I not know how strangely people's passions sometimes dictate to their judgment. To be the searcher of hearts, is usually allowed to be the prerogative of God—and I trust that this is a doctrine which the Presbytery have not agreed to repudiate.—Nor do I mean the slightest offence if I deny that the Presbytery are in possession of such a Prerogative—if I should deny that they are in possession of the mysterious power of diving into the spirits of their fellow creatures, and that, whether they know them to be in the flesh or not. If there was a man on the Indian hills who, a dozen years ago, assumed the obligation of certain vows and engagements, how am I to suppose that the Presbytery of Toronto can now tell that he did so sincerely or insincerely, piously or impiously, tho' they never before saw his face, or heard of him? How am I to suppose that they can travel back thro' the interval of so many years and scrutinize his conscience, as it was then, right or not right with God? I know not what other people may think, for people think so differently, but I must believe for my own part, that the Presbytery has brought this accusation against me not without some levity and inconsiderateness and irreverence themselves—I won't say with insincerity, for a person may cut another's throat, believing very sincerely that he is doing good and righteously.—Only as the Presbytery must have known that this accusation was from the very nature of it incapable of proof, it must be regarded as a mere gratuitous eulogy, a calumny cast upon a Christian brother, under the solemnity of a judicial procedure, and "for the glory of God and the edification of the Church and the terror of such offenders in all time to come!"

Second Accusation.—That I am guilty of "levity and irreverence in regard to the obligation of such vows and engagements after they have been made, and rashness and inconsiderateness in casting off the same." There are here two accusations—1st, Levity and irreverence in regard to the obligation of such vows and engagements after they have been made. What strikes me as remarkable in this accusation is the circumstance, that it is the first time that such an accusation should have been made.

During the time that I acted as a missionary under the Presbyterian Synod of Canada during the seven years that I held the charge of St. Andrew's Church in Toronto; and during the three months I was pastor of the congregation at York Mills, no such accusation was ever brought against me. No member of the Presbytery, during the lapse of so many years, gave me the slightest intimation of such a fault. One might have expected that some admonition would have been given him, were it only out of kindness or charity. I can only profess myself utterly at a loss to know upon what evidence the Presbytery have built this accusation. If they succeed in substantiating it, I shall feel as much surprised as they ought to do, if they fail to do so.

The next part of this accusation is, "levity and rashness in casting off the same." Supposing that this accusation were true, which it is not, it is always so surprising how the presbytery should come to know every thing so completely. I wonder they are not ashamed of making accusations against a person without evidence. When the question regarding the validity of Presbyterian ordination, became to me a matter of intense interest, my last thought at night and my first thought in the morning, it certainly did not occur to me that the Presbytery would accuse me of want of consideration or inconsiderateness. But then, their accusation is so flippantly made, that I would almost be persuaded to believe myself a fool and guilty of all the wickedness which they impute, were it not that having some remembrance of the matters that so deeply interested me, and some remaining consciousness of my personal identity, I know that their accusation is perfectly false.

Besides, this is an accusation which it was really possible for them to ascertain the truth of; it was possible for them to ascertain whether my denial of the validity of Presbyterian ordination could be supported by me with any arguments that bespoke thoughtfulness, or consideration—and they did ascertain it.—After an earnest controversy, the majority of the Presby

ings in the other settled parishes, for the purpose of forming Parochial Associations in connexion with the District Branch Association. Accordingly public meetings were held in the following parishes:

- Grimsey on Thursday, August 18.
St. Catharine's on Friday, August 19.
St. Nicholas on Saturday, August 20.
St. Andrew on Sunday, August 21.
Stamford on Monday, August 22.
Chippawa on Tuesday, August 23.
Port Erie on Wednesday, August 24.

In each of the above parishes a Parochial Committee was nominated, in conjunction with the Clergyman and Churchwarden, in soliciting donations and subscriptions. The interest manifested by the laity in the object of these meetings was in every place extremely gratifying; it proved that their hearts were warm in the Church's cause, and that it only required the proper channels to be opened and presented to them, through which the streams of their benevolence, hitherto too often diverted from their legitimate course, might now flow in one ample tide, refreshing and enriching the fields of our own beloved Zion.

Most of the Clergy of the District were present at these Parochial Meetings, and in their labours received invaluable assistance from three esteemed brethren—the Rev. John Armstrong, late Chaplain at Buenos Ayres and now in England, Rev. Arthur Palmer, Rector of Melph, and Rev. J. G. Godley, Rector of Hamilton. Their Meetings received the Parochial Report, and they now submit to you the following summary of donations and subscriptions, returned by the under-named parishes:

Table with 2 columns: Parish Name, Amount. Includes entries for St. Nicholas, St. Andrew, Stamford, Chippawa, Port Erie.

Of this amount have been paid—
Donations £18 0 0
Subscriptions 42 7 6

Donations in land, 252 acres.
Do. in money, £5 0 0
Annual subscriptions, 27 12 6

Of this sum have been paid—
Donations £5 0 0
Subscriptions 22 2 6

Donations in money, £30 12 6
Annual subscriptions, 76 14 10

Of this sum have been paid—
Donations £13 2 6
Subscriptions 17 10 9

Donations in money, £14 15 0
Annual subscriptions, 14 7 4

Donations in money, £20 8 9
Annual subscriptions, 27 13 9

Of this sum have been paid—
Donations £0 8 9
Subscriptions 12 14 11

Donations in money, £13 3 8

Donations in money, £11 18 9
Annual subscriptions, 17 10 9

Of this sum have been paid—
Donations £19 9 1

Donations in money, £14 19 9
Annual subscriptions, 38 10 0

Of this sum have been paid—
Donations £43 9 9
Subscriptions 15 12 6

Donations in money, £29 19 7

Donations in money, £30 0 0

From the foregoing statement, it will appear that the donations in land amount to 2,312 acres; 1 Town lot and house in Hamilton, and 2 lots in Galt; that the donations in money (including 8 shares in the Niagara Dock Company, valued at 100l., and three Life subscriptions at 12l. 10s. each), amount to £201 14 9

Making in all £351 0 8

Of this sum, the Treasurer received 266l. 10s. 4d., three-fourths of which have been appropriated in the several parishes as the Constitution of the Church Society allows; and there remains in his hands the sum of 67l. 8s. 7d., being the one-fourth allotted to the funds of the Parent Society.

When the present pressure of the times is considered, your Committee cannot but regard the above statement as exceedingly creditable to the Members of the Church in the eight parishes from which returns have been made; and they feel that the "humble and hearty thanks" of the whole Church are due to Almighty God, for having inclined and enabled his people to come forward so liberally in the promotion of objects so holy in their nature and beneficial their results.

Another subject which engaged the attention of your Committee was the employment of a Travelling Missionary in this District. The Niagara District contains about 24 Townships, and but ten clergymen of the Church of England, who have ample employment in their own spheres of labour. Now as it is probable that there are several Members of the Church scattered through the unoccupied townships, who have no opportunity of enjoying the regular ministrations of the Church to which they belong, it appeared to your Committee very desirable that a Travelling Missionary should be employed, whose object would be to visit the "humble and hearty thanks" of the whole Church, and attend to their spiritual wants as far as might be in his power. In this way, in various places, the nucleus of future congregations would be settled, which in the course of time might be supplied with settled Pastors.

Impressed with the importance of such an arrangement, your Committee instructed one of the Secretaries to communicate with the Bishop of the Diocese on the subject; and in reply his Lordship states that he shall be happy to send to this District a Travelling Missionary as soon as he can find one, but that at present he has no clergyman in his disposal; that some of the other districts have made similar applications, but that the Newcastle District is the only one he has as yet had in his power to supply. His Lordship, however, holds out a slender hope that after the Spring Ordination, which will probably be in his power to send us a Missionary, but that from the many urgent calls upon him, he could not at present give a positive promise.

In order to provide for the salary of the Travelling Missionary, your Committee are of opinion that the best mode of doing so would be to each parish to allot, according to its ability, a certain portion of its three-fourths for this specific purpose. In this way the burden (if it can be so called) would be shared by all, and every member of the Society would have the pleasing satisfaction of knowing that he was giving a helping hand to a good work, by means of which his brethren in his own district would be supplied with the ministrations of religion, in the form which he loves best.

Your Committee feel persuaded that this appropriation will not be deemed a hardship by any parish in this District, when it is considered that there have been instances in this Diocese of a small number of parishes undertaking a similar responsibility; and that at this moment other districts are engaging readily in the same good work. And your Committee are happy in believing that the members of the Church of England in the Niagara District are so faithful to the Church, and so zealous in their affection, and in a zealous desire to promote the interests and extension of Christ's Kingdom by every means in their power.

Having now laid before you a simple statement of the progress of the Church Society, since its formation in this District, in this sum is included a donation of 10s. towards Indian Missions.

trict, your Committee would, in conclusion, humbly commend it to the grace of God, fervently praying that He may pour out upon its Officers and Members more and more of the spirit of love, of wisdom, and of zeal, that their efforts in this cause may be blessed, and that they may be rewarded, and at a heart devotedly engaged, each may pledge himself anew to the work—looking forward to that blessed period, when all who "faint not" shall "reap" a glorious reward.

By order of the District Committee,
A. F. ATKINSON, Secretary.
T. B. FULLER, Secretary.

January 4th, 1843.

The following resolutions were then proposed.
1. Moved by Col. KINGSMILL, Sheriff of the District, seconded by WALTER DICKSON, Esq., and

Resolved—That the Report on the part received and printed under the direction of the Committee, and that the thanks of this meeting be given to the Secretaries for preparing the same, and to the Parochial Committees and Officers of the Society for their zealous exertions, which have been attended with such gratifying results.

2. Moved by the Rev. F. FULLER, seconded by the Rev. G. M. ARMSTRONG, and

Resolved—That this meeting gratefully recognizes the hand of God in the formation of the Church Society, and would devoutly express their acknowledgments for the measure of success with which He has been pleased to bless the operations of the same in this District.

3. Moved by GEORGE RYKENT, Esq., seconded by DR. MEWBRUN, and

Resolved—That this Meeting do highly approve of the excellent suggestion of the Managing Committee relative to the employment of a Travelling Missionary in this District, and do hereby sanction the same.

4. Moved by the Rev. THOMAS GREEN, seconded by ROBERT MELVILLE, Esq., and

Resolved—That the present officers of the Society be requested to continue the valuable services, of which the Committee are so desirous, and that the Chairman having invited any gentleman present who might wish to address any observations to the meeting to come forward and do so.

—Hamilton, Esq., Barrister at Law, rose and made some very appropriate remarks upon a subject of great importance contemplated by the Society, viz. a suitable provision for the widows and families of deceased clergymen; and that gentleman being requested to present his views in the form of a resolution, was seconded by Col. KINGSMILL, and

Resolved—That the subject of a provision for the widows and families of deceased clergymen be recommended to the consideration of the District Committee as one of paramount importance.

Thanks having been given to the Chairman, the benediction was pronounced, and the Meeting separated.

From our English Files.

PORTUGAL AND THE CHURCH OF ROME. (From the London Times.)

Libson, Nov. 7. The despatch, of which I forwarded to you the substance last week, written in 1822 by Silva Carvalho, with reference to the appointment of the present Patriarch elect to the see of Coimbra, was finally effected, as might be inferred from the high position which his subject occupies at this day in the London Church, and the importance which he has attached to the bearing upon the present negotiation, and illustrating the spiritual resistance even in modern times of the Portuguese Crown to the encroachments of Rome, that it will justify some further remark. The Patriarch elect, then nominated by the Pope to the see of Coimbra, is the brightest living ornament of the Church of Portugal—a man of most extensive and solid learning, an antiquarian, and an order of ordinary pretensions, a writer upon ecclesiastical affairs of orthodox, but liberal views, and honest distaste to the Papal Court, and more especially to the encroachments of Rome, which he has not only subject him to a temporary canonical irregularity, a trial was demanded and had, the result of which was his full acquittal. But this could not satisfy Rome, in comparison with the unsubstantiated allegation of his secret informant, and hence the despatch, which is my last, is so full of matter, and the difficulty of resisting the pretensions of an excommunicated spiritual domination, which works so potently on the minds of the weak, and even before falling victim to his fatal terrors can socially excommunicate his meditated victims, through the instrumentality of priests and women. The sturdy and uniform, yet most orthodox and unflinching of Portugal, under such circumstances, cannot be too highly appreciated. In the case referred to, the "settle" was administered by a despatch of Silva Carvalho's bearing date the 13th March, 1822. The confirmation of Frei Francisco's nomination followed, and it is clear that the same amount of firmness will be equally successful in the present negotiation, which is in my opinion, the only one which would hold these slippery ecclesiastical eels must be "ad extremum tenax." I have strong confidence in the capacity and determined character of the present Minister of Justice, and not the less so from his declining to hold any communication with the Papal Court, in consequence of his disapproval of the mode in which the negotiation has hitherto been conducted, except through the Duke of Palmella.

In the despatch of which I now propose to give the substance, the Minister commences by stating that his Royal Master entirely repudiates the new offer of the Roman Court to confirm the appointment, upon receiving the assurance in writing from some bishop or bishops that Frei Francisco is not a Freemason. He treats this as a new attack upon the Royal dignity, as a direct breach of the rights confirmed by the Council of Trent, and the bulls of Gregory XI, Urban VIII., and Benedict XIV., and as a species of sacrilege, inasmuch as it is a violation of the rights and duties of the Holy See towards the Church of Portugal. Neither Council nor Pontiff could enact or sanction that a public, judicial, and legal trial should be overruled by the nomination of a Freemason, and the election of his chaplains might be for ever frustrated.

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the unfortunate expedition of Dom Sebastian (from 1580 to 1640), the course pursued by the Pontiffs was identical with that which they observed towards Spain, the presentation of the Spanish Monarchs being always regarded, in virtue of the holy alliance, as the presentation of the King of Portugal, and the great breach with Rome, commencing in the time of Dom Joao I., the Kings of Portugal appointed, and the metropolitans confirmed; in every case Rome held out for a time as well, in the furtherance of the ultra-montane views, and eventually came to the same result. Monsignor Capacini, through the course of these negotiations, in the true spirit of Italian diplomacy, has constantly expressed his dislike of dealing with *quoniam di principi*, and spoken of scruples of conscience, and such other platitudes. Facts and reasons are with him of no account, but the true violation of conscience is in stigmatizing men like the nominated prelates, against whom nothing can be alleged.

THE CHURCH OF SCOTLAND.

I am able to communicate the resolutions which were agreed to at the late meetings of the "Convocation." These resolutions are important, as giving the best and surest indications of the feelings by which the ministers who attended are actuated. How far these may be sustained by the general body of the clergy is another question.

Resolved—That the number who supported the second series of resolutions is not of that overwhelming amount which will induce the Government to suppose that they fairly represent the opinions entertained by the great body of the established church. I have already mentioned the relative numbers, and as it seems that 354 ministers, it is quite apparent that non-attendance is clearly in a minority in the Assembly. The resolutions, however, will speak for themselves.

First Series of Resolutions Passed by the Convocation of Ministers on Saturday, the 19th of November, 1842, and Concluded in 1847 Ministers.

1. That according to the recent, and as it appears to this Convocation, unconstitutional decisions of the supreme civil courts, and the interpretation which has been put upon the same, the obligation to receive and admit a qualified presbyter, is a civil obligation, which may be enforced by the ordinary courts of law, and that the rejection of a presbyter in respect of the dissent of the congregation according to the fundamental principle and law of the church is not merely an act in which the civil courts may refuse to give effect, but in itself a civil wrong or offence, which may be dealt with accordingly by the civil courts.

2. That other decisions of the civil courts, and in particular the decision of the Lord Ordinary in the case of the deposition of the Strathgibbie ministers, imply an assumption of a jurisdiction in the most sacred functions of the worship and government of the church, especially in the matter of the deposition of ministers, to the great detriment of the sacredness of spiritual courts in the exercise of discipline over ministers and members of the church.

3. That these claims to jurisdiction in spiritual matters, on the part of the civil courts, are based chiefly, if not altogether, upon the Act of 1712 restoring patronage,—an act from the first unjustifiable, and recently interpreted in a sense which the church cannot conscientiously submit, and to which she cannot consent to accommodate her ecclesiastical procedure.

4. That as the principle involved in these decisions, and particularly in the recent decision of the Lord Ordinary, is the supremacy of the civil courts of the kingdom, and in particular in the exercise of their spiritual functions; so the members of the convocation declare that no measure can be conscientiously submitted to them which does not effectually protect the church against the exercise of such jurisdiction by the civil courts in time of peace, and in the event of any such encroachments of the nature specified in the preceding resolutions.

5. That in all their past contentings the members of this Convocation have been actuated, and they trust that in all their future proceedings they will continue to be actuated, by a deep conviction of the value and excellence of the civil and ecclesiastical constitution under which they live; and that one of the chief causes of their present anxiety arises out of their impression that the tendency and inevitable result of the recent decisions of the civil courts, especially in those alluded to in the present declaration, is to deprive the church of the constitution as she is, and to substitute in its place a constitution which she does not desire, and which she cannot conscientiously submit to.

6. That the members of this Convocation are deeply grieved at the invasion of the sacred functions of the church, and the usurpation of the rights of the church, and they declare that they will not consent to any measure which does not effectually protect the church against the exercise of such jurisdiction by the civil courts in time of peace, and in the event of any such encroachments of the nature specified in the preceding resolutions.

7. That the members of this Convocation are deeply grieved at the invasion of the sacred functions of the church, and they declare that they will not consent to any measure which does not effectually protect the church against the exercise of such jurisdiction by the civil courts in time of peace, and in the event of any such encroachments of the nature specified in the preceding resolutions.

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