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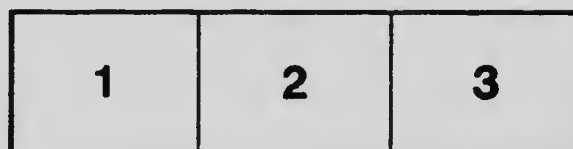
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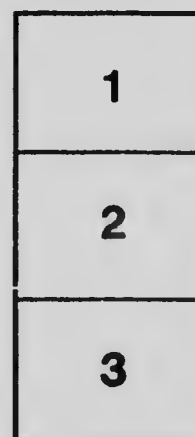
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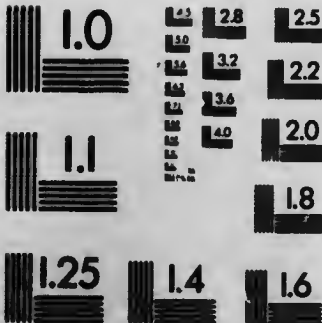
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**Presbyterian Church in Canada**

*Shall the Constitution or Faction  
Govern the Pastoral Relation?*

*By E. McQueen*

MAY, 1910

# Presbyterian Church in Canada

## *Shall the Constitution or Faction Govern the Pastoral Relation ?*

— by E. McQueen —

MAY . . . . . 1910

"WE all stand up against the spirit of Caesar,  
"And in the spirit of men there is no blood.  
"Oh, then that we could come by Caesar's spirit  
"And not dismember Caesar! But alas,  
"Caesar must bleed for it! And gentle friends,  
"Let us kill him boldly but not wrathfully,  
"Let us carve him as a dish fit for the gods,  
"Nor hew him as a dish fit for hounds,  
"And let our hearts as subtle masters do,  
"Stir up their servants to an act of rage,  
"And after seem to chide them. This shall make  
"Our purpose necessary, and not envious!  
"Which so approving to the common eyes,  
"We shall be called purgers not murderers."

—Shakespeare

In our correspondence in the Montreal "Gazette," March 24th, 1904, Rev. W. D. Reid, of Montreal, now Superintendent of Missions in the West, quotes finding of Presbytery of Quebec in the Kinnear's Mills congregation trouble as to obligation of members to fulfil their financial terms of contract in the call. The finding of the Presbytery was as follows: "The disaffected are not required to contribute to the funds of the Church from the date of their formal notice to the Board of Managers in 1902." I entered my dissent from the finding of the Presbytery on the ground that the Presbytery entered upon the jurisdiction of the Session and Trustees, who alone have power, under the constitution, of declaring the moral and financial duties of members. Rev. W. D. Reid, in the correspondence referred to, encourages and approves withdrawal of members of the Church from every obligation to terms of contract in the call. I showed that an attitude of such a nature was not only inconsistent with the terms of contract in the call, but with civil status, which imposes obligation in the discharge of all contracts. Mr. Reid, in reply, says: "A man can withdraw himself from communion with the Church, and can snap his fingers at its discipline, can cast off all connection with the Church and the Church cannot touch him." After heaping personal abuse upon me, he ends a very undignified correspondence by saying: "I know the Quebec Presbytery would be delighted if it could dispose of certain of its members." (Exhibit 2.)

Copies of the foregoing issue of the Montreal "Gazette," where Rev. Mr. Reid's letters appeared, were freely distributed among my people.

### **Conscience-Stricken.**

On Sabbath, July 10th, 1904, being communion service, I preached from the words: "Purge out the old leaven that ye may be a new lump as ye are unleavened for even Christ our passover is sacrificed for us. Therefore let us keep the feast, not with the old leaven, neither with the leaven of malice and wickedness; but with the unleavened bread of sincerity and truth" (1. Cor. v : 7-8). After showing the danger of communicating while entertaining malice toward a brother, I said that, while on my way home (July 4th, 1904), having attended the Assembly at St. John and visited Prince Edward Island and Cape Breton, I had a vision that some person, whether minister, or elder, or member from



this or any other congregation I would not say, would present himself at this communion harboring malice toward a brother. After showing that a Christian possessed of the spirit of God could part with malice, I warned this particular person to put away his sin, or God would discover it. The following Tuesday morning the late Mr. Kenneth A. McIver called at the Manse and told me that Mr. Angus G. McKay had a serious fainting in his brother's house, and was in serious trouble of mind over the words spoken by me on Sabbath referred to. He said that the whole congregation took my words as applying to Angus G. McKay and his brother, Murdo McIver. I assured him that my words did not apply to either of the men, but that he would find them, if he applied them in any way, nearer to himself than to any other. Three men were brought to the front by my statement, viz.: Messrs. Angus G. McKay, Murdo A. McIver, and Kenneth A. McIver. Why should these men have trouble of conscience above the others?

#### Starving out the Minister. Rev. W. D. Bell's Method Applied.

On Monday, October 3rd, 1904, after concluding a very solemn communion service, Mr. Angus G. McKay (elder) appeared before the Board of Managers and asked that his name be removed from the salary list. My dear boy James, after a lingering illness, died September 19th, 1904. After communion in October, I took my wife and boy for a change to Quebec. On returning home I had occasion, at request of Mr. K. McIver, to hold a meeting of Session, and noticed that Messrs. Kenneth McIver, Murdo McIver, and Angus G. Mackay were in the neighborhood, and also Mr. John P. McLeod.

The Session met on November 7th, 1904, and, on being constituted, Mr. Kenneth A. McIver presented the following document from the Chairman of the Board of Managers:

"I have been requested by the Board of Managers to notify the Session that Mr. A. G. McKay has withdrawn his name from Mr. McQueen's salary."

(Signed) M. A. McIVER, Chairman.

Dated November 7th, 1904.

(Exhibit 3.)

On presenting the foregoing statement Mr. McIver said that Mr. Angus G. McKay was in the vicinity of the court, and was anxious to confer with the Session. Mr. Angus G. McKay, being an elder, I thought it strange that such a request should be made. The Session conferred with him as requested. Mr. Angus G. McKay not only adhered to his action, but made charges anent baptism, going back some seven years, and naming persons who are still most loyal to the Church. He particularly charged me with depriving him of the duties of elder at a communion held on October 5th, 1902. As his trouble at that time had been amicably settled in private, I thought it strange to have it brought up at this time, and felt particularly injured by a statement without a shadow of truth in it. The statement made by Mr. Angus G. McKay was confirmed by Mr. Kenneth A. McIver. Mr. Angus G. McKay, then pointing most scornfully to me, left the conference and would not be reasoned with.

At an adjourned meeting of Session, held December 5th, 1904, all the elders excepting Mr. Angus G. McKay being present, Mr. John P. McLeod reported the conduct of Mr. Angus G. McKay at the previous conference. The statement made on that occasion by Mr. Angus G. McKay, and confirmed by Mr. Kenneth A. McIver, was put to the meeting and unanimously declared to be untrue. Mr. Kenneth A. McIver was then asked if he adhered to the statement made by him in support of Mr. Angus G. McKay. Mr. McIver, in reply, rose up and retracted his words, expressing his deep regret for having ever used them. Mr. Angus G. McKay was

thereafter cited to appear to answer for his conduct in withdrawing his salary aid in making charges against the Moderator which were untrue. At an adjourned meeting of Session, held December 8th, 1904, Mr. Angus G. McKay denied both charges. He declared that his statement to the Board of Managers was as follows: That he, Angus G. McKay, withdrew only the amount promised to the minister's salary; that he would pay toward repairs of property and toward the minister when he heard him. The Session, after deliberation, found that, on his own admission, Mr. Angus G. McKay's action was inconsistent with his ordination vows, and asked him to reconsider his action. He thereupon declared as follows: "I withdraw my statement to the Board of Managers, and I will pay henceforth toward support of divine ordinances in this Church as the Lord will prosper me." In regard to the second charge of the indictment, Mr. Angus G. McKay admitted that he acted the duties of elder on the occasion referred to. The Session, after deliberation, accepted the following declaration by Mr. Angus G. McKay: "I am not conscious of having made the statement charged against me in the indictment, but it is possible, from what these (three) witnesses testify, that I have, and if I have made the statement referred to, I retract it and express regret for it." The Session, on hearing his statement, sisted procedure in his case.

#### Confidence Shaken.

On Saturday, the 10th day of December, Mr. A. G. McKay called at the Manse. He evidenced some alarm and anxiety lest his conduct be entered on the minutes. I pointed out to him how much more honorable it would have been for him to resign. He replied that "he was advised not to resign, but simply challenge us to take action against him." "I knew," he said, "that when Mr. Kenneth McIver confirmed my statement that he lied, but it was not for me to correct him." I assured him that, in so far as I could prevent it, that the matter would not go on the permanent records, and, in any case, that his personal abuse of me would not appear on the record. That, under the circumstances, and until such time as confidence be restored, it was essential to have a record of proceedings. At a meeting of Session, held February 6th, 1905, Mr. Angus G. McKay asked that the records be destroyed. After consideration, it was agreed not to enter a full minute on permanent records, but to hold them "in retentis."

#### Irregularities in our Church Courts.

At a meeting of Session, March 6th, 1905, Mr. Angus G. McKay submitted a document purporting to be an appeal to the Presbytery. He himself presented the original to the Clerk of Presbytery, who read the same at a public meeting of Presbytery at Sherbrooke, March 9th, 1905. The document referred to was not transmitted through Session. It contained malicious and deliberate slander, and was incorrect in every particular. Referring to the second charge (to wit that he was deprived of his office as elder at communion in October, 1902), he says in his statement of appeal: "While nominally in the name of John P. McLeod, it was really a charge made by the Session. All of the members refusing, the Moderator got John P. McLeod to father it." Meaning and intending thereby that the Moderator was the author and fabricator of the aforesaid charges. The document aforesaid was not only read publicly before the Presbytery, but read also in public stores and before several families in the congregation. The Session wrote Angus G. McKay for a withdrawal of all the charges, and for an apology in writing, allowing him twenty days wherein to reply. A committee to confer with him in private was appointed.



### Trial called for.

At a meeting of Session, May 1st, 1905, the committee reported that Mr. Angus G. McKay was not prepared to make any statement to the Session. The Session, after due deliberation, considered that, in view of a public breach of faith by Mr. Angus G. McKay, and in view of false and defamatory statements made by him in a document purporting to be an appeal to the Presbytery, and in view of his persistent refusal to withdraw his libellous statements and to apologise for his conduct, and in view of his withdrawing himself from public ordinances without adequate cause and without resigning his office, resolved to proceed anew ("de novo"). A complete list of charges was then drawn out. A petition by Mr. Angus G. McKay for transmission to the Presbytery was received, and forwarded in due course. At a meeting of Session, May 5th, 1905, Mr. Angus G. McKay being called, failed to appear. He replied to the Session's citation in the following manner: "Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful." (Exhibit 6.) The Session resolved to proceed to trial. It was agreed to furnish Angus G. McKay with a copy of the charges and to serve him with a second citation.

At a meeting of Session, May 16th, 1905, a copy of the charges made against Angus G. McKay was produced and signed. The charges were: (1) Withdrawing his support of divine ordinances and withdrawal from attendance at Church. (2) Falsehood (a) in regard to charges anent baptism, (b) in regard to keeping himself and his wife from communion, (c) in regard to depriving him of his office as elder, (d) in libelling minister and elder. (3) For breach of faith on two occasions. In all, ten charges were brought forward. Angus G. McKay, being called, appeared. Charges 1 to 10 of indictment were read over to him. Charges 2, 4, and 7, in so far as they directly referred to the Moderator's conduct, were referred to the Presbytery for trial and judgment. With reference to charges 1, 2, and 3, Angus G. McKay made no reply. Charge 4 of indictment, which reads: "This second charge, while nominally in the name of John P. McLeod, was really a charge got up by the Moderator, and intended to be served upon me as a charge got up by the Session. The Moderator got John P. McLeod to father it." In answer to the foregoing charge, Angus G. McKay replied as follows: "I have only to say that I got these words from Kenneth A. McIver before I wrote the appeal." This statement and charge were then written down and read over to him. He confirmed the statement now read over to him. On being asked to sign his own statement he refused. The statement and declaration of Angus G. McKay was thereupon signed in his presence by Messrs. John P. McLeod, Wm. McKay, and Angus McKay, attested by the Moderator, and ordered to be kept "in retentis." Mr. Kenneth A. McIver was then called upon to reply. He declared as follows: "I deny the foregoing statement made by Angus G. McKay." The foregoing charge was then read over, word for word and clause after clause. Mr. Kenneth A. McIver expressly denied having ever uttered the words complained of. The statement made by Mr. Kenneth A. McIver was thereupon taken down, and duly signed by him. (Exhibit 7.) While in the act of signing, Mr. Angus G. McKay took hold of Mr. McIver and sought to prevent him, for which conduct he was rebuked by the Moderator. Mr. Angus G. McKay refused to answer to the remaining charges and left the meeting. The Session found all the charges proven, and resolved as follows: "Whereas it is not expedient that the Session be both accuser and judge, refers the whole case to the Presbytery for judgment." Mr. Angus G. McKay was cited to appear in his own interests before the Rev. the Presbytery of Quebec at a meeting to be held in Chalmers' Church, Quebec, September 5th, 1905. At the meeting of Presbytery referred to,

Mr. Angus G. McKay failed to compare. The case, after considerable labor and expense, was postponed to the meeting of Presbytery in December. A daughter was born at the Manse, November 17th, 1905. She lived only 15 days, and was buried on November 4th, 1905. The Presbytery met at Sherbrooke the day after, having been for some 16 nights without any rest, but desiring to put an end to this matter, I attended the meeting of Presbytery. Mr. Angus G. McKay, before the Presbytery, denied having withdrawn his support of minister's stipend, and, in answer to the Moderator (the late Mr. Tanner), said that he would pay as heretofore. The Presbytery thereafter appointed a committee to confer with the Moderator of Session and Mr. Angus G. McKay, the finding of the committee, afterwards the finding also of the Presbytery, being as follows:

"Mr. McKay undertakes to withdraw all charges, and Mr. McQueen, for himself and Session, undertakes to drop the whole matter, and each agrees to endeavor to live in future in the bonds of Christian fellowship.

"(Signed) A. G. McKay.  
E. McQUEEN.

Witnesses: D. Kellock, H. C. Sutherland, J. B. McLeod, H. N. McLean.

(Exhibit 9.)

#### Working for a Fall.

I had hopes now that the matter was settled. But they had no power returned home—that is, Messrs. A. G. McKay, M. A. Miller, and Kenneth A. McIver—than they spread or caused to be spread, throughout the congregation that Mr. A. G. McKay had won a great victory over the Session, and that Mr. Kenneth A. McIver was now to begin the fight anew. Mr. Murdo A. McIver ceased to attend Church from date of conference with Mr. A. G. McKay, November 7th, 1904. He alleged as his reason that he could not attend Church on account of minister and elder taking their oath against each other. On returning from the Presbytery in December, 1905, Mr. K. A. McIver repeatedly asked me to hold a Session meeting, but as there was nothing of importance to bring before the Session, I put the meeting of Session off until Monday, May 7th, 1906, a month before the communion in June. After constituting the Session, I congratulated the brethren on coming to an understanding, and I expressed the hope that nothing would ever come up again to disturb the goodwill of brethren. At this stage Mr. K. A. McIver rose and said: "I hereby give notice that no collector is to call upon me any more for minister's stipend." It was also currently reported throughout the congregation that Mr. Angus G. McKay denied having promised the Presbytery to pay toward support of ordinances. At all events, he, on hearing Mr. McIver's declaration, laughed approvingly. I had no desire to enter anew upon a course of discipline, and as I had previously prepared a statement showing deficit in the matter of Mr. McIver's treasury, I asked him privately by letter to come before the Board of Managers to explain the deficit. The Board of Managers sent Mr. McIver, on his failing to appear, a private notice to appear before them on May 29th, 1906. Mr. McIver failed to appear, and thereafter, at the instance of Mr. John P. McLeod, seconded by Mr. Angus G. McKay, an auditor was appointed to bring in a duly audited and exhaustive report covering Mr. McIver's period as treasurer from previous audit. Messrs. Murdo A. McIver and Kenneth N. McIver meantime went to Sherbrooke in order, according to current reports, to take legal action. The annual meeting of the congregation was to take place on Wednesday, June 13th, 1906. It was openly alleged that Mr. Kenneth A. McIver was to give us serious trouble on that day. About seven or eight days before this, however, I had a vision, twice repeated, that Mr. Kenneth A. McIver was in serious trouble. For some time I had felt heavily upon my spirit that a crisis was at hand.

I felt therefore assured in my own mind that God was in some way to deal with Mr. McIver. I assured several parties, who had expressed their fears lest trouble should be made on the occasion of our annual meeting by Mr. McIver, not to fear for the Church, that Mr. McIver would have more trouble than he could bear very shortly. On June 12th, 1906, about midday, Mr. Kenneth McIver was attacked by his own hull, which he led to water, and was tragically killed by the mad brute. It is said by eyewitnesses that he fought bravely for his life. Accompanied by Rev. Rod. McLean, of Prince Edward Island, I went that evening to the house to express my sympathy. His son and brother were at Sherbrooke. Howard McIver, a nephew, and Alex. McKay, a son-in-law, met me at the gate and warned me not to go in. On being refused admission, I expressed my sympathy, and requested that my sympathies be conveyed to the sorrowing widow and family. Rev. Rod. McLean refused to go in because of the conduct of these young men toward their pastor. At the annual meeting of the congregation, held on the following day, I made feeling reference to Mr. McIver's death, and moved that the sympathy of the congregation be made known to the family in their hour of deep sorrow. On account of the tragic death of Mr. McIver, the report of the auditor was not immediately called for. About this time I went on a vacation to Prince Edward Island. During my absence Mr. M. A. McIver made strenuous effort to call a meeting of the Board of Managers, asking that a resolution be passed clearing the late Mr. Kenneth A. McIver. The Managers refused to meet in my absence. It began to be rumored then that the Managers were afraid to meet. On August 30th, 1906, Mr. Alex. W. Morrison, one of the Managers, called upon me and said that Mr. Kenneth N. McIver demanded a statement from the Managers, that he had in view an action at law, and that it was necessary for the Managers to meet. It was then agreed to hold a meeting of the Board of Managers on September 4th, 1906, at 7 p.m., and to hear the auditor's report. The Managers met accordingly. The court being constituted, I asked Messrs. Murdo and Kenneth McIver, who were present, to retire until the auditor had submitted his report and until the Managers considered the same. After which action, I assured them that a messenger would be sent for them. After a time, they reluctantly withdrew. The auditor thereupon submitted his report. It showed a deficit of \$111.84. The auditor's statement was sworn to as follows:

"This is to certify that I have audited the books and accounts of the Treasurer of the congregation of Lingwick, from the year beginning November 1st, 1896, until June, 1898, and have done the same to the best of my judgment and ability.

"FARQUHAR McDONALD."

"Sworn before me this 4th day of September, 1906.

"ALEX. MCKAY, Supt. Commissioner."

(Exhibit 10.)

The audit then presented was received and ordered to be put upon record. A messenger was thereupon sent for Messrs. M. A. McIver and Kenneth N. McIver. These men returned, accompanied this time by Messrs. Angus G. McKay, Alex. McKay, Kenneth Nicholson, and some others. Mr. Angus G. McKay, on being asked his business, said that he appeared in order to pay up the arrears charged to him. Mr. Kenneth Nicholson paid up his arrears in full. Mr. Angus G. McKay declared that he paid his salary in the collections. On showing him that we could not do business in that way, he paid his arrears in full and received a receipt for the same. On paying his money, he said he was through with the congregation, or words to that effect. After a request that all retire excepting those directly connected with the family of Mr. McIver, Mr.

Angus G. McKay said that he was interested in the case and would stay. The auditor's statement was then read over, and a copy of the same was offered to Mr. Kenneth N. McIver. He refused to accept it. After all parties had been heard and questions answered, Mr. Angus G. McKay asked leave to make a statement. He thereupon rose and said the late Mr. Kenneth A. McIver handed him, Angus G. McKay, receipts for monies paid out by Kenneth A. McIver, but that his (Angus G. McKay's) wife accidentally burnt them. Mr. Angus G. McKay, on being questioned, could give no account of any monies alleged to have been thus paid out. It was then pointed out to him that a statement of the foregoing nature only weakened the case. Parties having retired, the Managers decided to take no action in the matter for the present, and that every opportunity be given to the representatives of the late Mr. K. A. McIver to settle the matter in private.

#### Leaving the Church.

At a meeting of Session, held November 16th, 1906, two letters from Mr. Angus G. McKay were read, asking, in substance, a disjunction certificate, and stating his reason in the following terms:

"It is my desire to withdraw my name from the Presbyterian Church at Lingwick, and I wish to be recommended to the fellowship of the Church of Christ wherever God, in his providence, may order my lot, for the reason that I am prepared to take my oath that the Managers of this congregation have collected money from me that did not belong to them. The error appeared in the Church report, 1906, and I appeared before the Board of Management to have this error rectified, and I was shamefully abused by Mr. McQueen, by him telling me, before all that were present, that he would not believe me on my oath.

"ANGUS G. MCKAY."  
(Exhibit 12.)

The Managers issued a statement proving the foregoing statement by Mr. Angus G. McKay false in every particular. (Exhibit 13.) Mr. Angus G. McKay knew very well that the meeting of Managers was called specially to deal with the McIver case. It showed not only great imprudence on the part of Mr. Angus G. McKay to appear on that night, but how ready he was to mix up in every matter which occasioned trouble. The Session met to consider Mr. A. G. McKay's application for a certificate, and refused to entertain the application until he either made good his charges against the pastor and the Board of Management or withdrew the same.

#### Further Irregularities.

There was submitted also a document purporting to be an appeal against the Session when there was no meeting of Session to be appealed from. The Presbytery, however, entertained this form of appeal not transmitted through Session, and, in the face of a protest issued by the pastor, entertained the document purporting to be an appeal, and issued the following display in the matter:

"The Presbytery, for greater freedom of discussion, on motion made and duly seconded, resolved itself into a committee of the whole, Mr. H. Carmichael being appointed to the chair. The committee duly reporting, the following deliverance was reached: 'The Presbytery unanimously and strongly advises the Session of Lingwick to grant Mr. McKay's certificate without delay.'"

The following deliverance was reached in the matter of my protest:

"Whereas, It is the opinion of this court that the reception or rejection of all communications addressed to the Presbytery must be determined by the Presbytery itself, and not by the Clerk, the Presbytery approves its own course and sustains the action of the Clerk in submitting to the Presbytery communications addressed thereto through

him, and therefore decline to entertain protest made by Rev. E. McQueen." (Exhibit 16.)

According to this decision any member has free access to the Presbytery outside of the Session, and matters belonging to the Session may be deliberated and decided on without the Session being represented or heard. The Session had no knowledge of Mr. McKay's appearance at the Presbytery. But though it had, the voice of the Session had no existence with the Presbytery. This is the Presbyterianism which deliberately sets aside the constitution of the Church. (See section 16, 22, and 174 and 175.)

The duties of the Clerk are defined in section 148, Rules of Procedure: "The Clerk of a superior court, on receipt of papers from the lower court, endorses on them the date of reception, numbers the papers, and authenticates them by his signature or initials."

The Session met December 16th, 1906, and, while feeling aggrieved at the action of Presbytery, took in the unconstitutional nature of the deliverance and issued a certificate, not in the ordinary way, but by request of Presbytery. The certificate was not to the liking of Mr. Angus G. McKay. (Exhibit 17.) He appeared again before the Presbytery at Quebec, in March, 1907. This time, however, he signed the following statement:

"In the interests of Christian peace and unity, I desire to withdraw any statement sent by me to Session which was irritating, and to withdraw any reflection I have made therein on any office-bearer of the Lingwick Church, and I hereby apply for a certificate in the usual form."

Mr. Angus G. McKay absented himself from communion in this Church, October, 1902; October, 1904; June and October, 1905; and October, 1906. He for three years failed to discharge the duties of an elder, and he persistently followed divisive courses. He withdrew his support from ordinances, he slandered his pastor and brethren of the Session, and then, after considerable trouble, was compelled to withdraw every one of his charges. He broke faith with the Session on every occasion when he agreed to live in unity. And now the Presbytery, instead of correcting him for his errors, asks the Session of Lingwick to recognize him as a member in good standing. It is not to be wondered at that the Session could only issue a certificate of membership by majority.

#### Not yet Satisfied.

After Mr. A. G. McKay returned from Quebec he, on March 31st, 1907, sent me the following letter through his cousin, Mr. John N. Cowan:

"To John N. Cowan.

"My proposition is that we, Mr. McQueen and myself, both withdraw any reflection made on one another, in writing or any other way, and that the error of arrears of eleven dollars, as seen in the Church report of 1906, be refunded to me, and that I have the privilege of returning to the Session of Lingwick congregation and resume all offices and privileges I ever had if I desire to accept them, and I will support the Gospel according to my means. If Mr. McQueen wants to draw out a document for him and I to sign, I will meet him at your house.

"A. G. McKAY."

"I hereby certify that this is a true copy of Mr. A. G. McKay's handwriting.

"JOHN N. COWAN."  
(Exhibit 19.)

I refused consideration of the foregoing overture for several reasons: (1) Because I lost faith in Mr. A. G. McKay's writing and honor; (2) because I made no charges against him in writing or otherwise requiring

withdrawal; (3) because Mr. A. G. McKay, after considerable trouble and expense, had been compelled to withdraw all charges before the Presbytery on two occasions; (4) because nothing could be gained by having him withdraw his reflections on me in the presence of Mr. J. N. Cowan; (5) there was no error of arrears charged to him in the report of 1906. During the nine and a half years of his connection with the Lingwick Church he paid in all \$95. At his own estimate of \$10 a year the amount comes even with his application for disjunction from the Church. His liabilities to the date of his disjunction are \$100.

#### **Seeking to Return, not from Love of Brotherhood, but from a Lower Motive.**

Mr. A. G. McKay expressed a desire to return to the Church if \$11, which he himself paid over to the Treasurer, were returned to him. No demand was ever made upon him for the amount. He was not even asked to pay it. He came forward of his own accord and paid his arrears. He expressed himself to several parties in the congregation that he had no fault to find with his minister, and would be glad to return to the Church on being refunded \$11. I paid him over this sum out of my own pocket, and sent him a reassuring letter that I entertained no illwill toward him. My letter was couched in the most friendly manner. (Exhibit 20.) On receiving my letter and the \$11, he made ready to come to see me and to make full confession of his own mind, which, had he done, I have no doubt whatever his case would be very different from what it will ever be henceforth. On the way, however, he called in to see (not an adviser of peace) Mr. M. A. McIver. He stayed there sufficiently long (a considerable time, it is said) for inoculation, for there is a virus, it is said, in that house which never makes for goodwill towards the congregation and pastor. On his reappearance, therefore, he had no longer possession of his first thoughts, for in matters of conscience and duty the first thoughts are the divinest. Mr. A. G. McKay now came forth with the statement that the money Mr. McQueen sent him was conscience money, and that it was an effort at bribing him to return to the Church. He did not take time to think that he had kept the bribe, and that the money was out of my own salary, and not refunded by the Managers. The money was kept by him, but never acknowledged. If he, as alleged, paid the money into the collection plate for the Managers, he would not for his own honor accept of it from his minister's small income.

#### **Has the End now Come?**

Mr. Angus G. McKay now completely disjoined from this congregation, it was a happy release for us to feel or to think that we must justly feel an end to further trouble with him. As Mr. M. A. McIver had ceased to attend this Church since November 7th, 1906, and as Mr. Kenneth N. McIver had joined the Church at Hampden, and as Mr. Angus G. McKay and wife also joined the Church at Hampden, the work of Lingwick congregation showed considerable progress for the years 1907-1908. In May, 1908, however, complaint was made to me of a direct interference by these men in some of our Sabbath Schools.

#### **Following Divisive Courses.**

Mr. Angus G. McKay continued for a time to teach in Red Mountain School; Mr. Kenneth N. McIver taught in what is known as Brook District Sabbath School. On Sabbath, April 26th, 1908, Mr. Kenneth N. McIver, in the presence of the scholars, said to Mrs. A. A. Morrison, Superintendent: "You have not been appointed Superintendent of this Sabbath School for this year. It belongs to the scholars to appoint their own Superintendent and teachers." On learning of the affair I wrote Mrs.



Morrison the following letter, which was to be read to the Sabbath School:

"Dear Mrs. Morrison,

"Article 26 of the constitution of the Presbyterian Church of Canada says: 'The Sabbath School is under the care and subject to the direction of the Session, and the superintendent and teachers and other officers should be appointed and hold office as the Session may direct.' In terms of the foregoing resolution, you have been appointed some time ago as Superintendent of the Sabbath School in your district. There has been no complaint whatsoever lodged to the Session, either as to your qualifications or otherwise. Pupils of the day schools do not appoint their own teachers, not even under such circumstances, when the children are more capable than the commissioners. I presume, however, there is no teacher or child in your Sabbath School but will acknowledge that the Session of our Church is more capable than they to direct this important branch of the Church's work. In any case, the method of civilization as well as religious organization have all along acted on the principle of government by officers duly appointed, which principle receives support from the Word of God, the commands of Christ, the example of the Apostles, the order of the Church from the beginning, and from the enlightened conscience of all right-minded people."

On Sabbath, May 10th, 1908, Mr. Kenneth N. McIver was absent. Mr. Angus G. McKay and Mr. Murdo A. McIver appeared at the Sabbath School, Brook District, with the intention, it is presumed, of appointing the superintendent and teachers, and thus make a break in our Sabbath Schools. At the close of the Sabbath School, the Superintendent asked her daughter to read my letter. Nothing further was heard of the matter.

#### False Appearances.

On February 7th, 1909, Mr. Angus G. McKay appeared for the last time in the Church at Lingwick, at least during my regular preaching. My subject on the occasion referred to was: "Flesh and blood hath not revealed it to thee, but my father who is in heaven." In conversation with a personal friend of his that same afternoon, I remarked that Mr. Angus G. McKay was at Church to-day. "It was not for a good purpose," he replied. "He wants to go round with a petition in order to find out all who are against you." His friend further said that the fair thing would be to find out all who were for me as well as against me. This view of it, however, he rejected. He sounded another of his friends also upon leaving the Church.

#### The Petition.

On Saturday, February 20th, 1909, about 9 p.m., Mr. Wm. McDonald handed me a copy of a petition, with a letter attached thereto in the handwriting of Mr. Angus G. McKay asking for transmission to Presbytery. The petition read as follows:

"The Rev. the Presbytery of Quebec:  
"Fathers and Brethren,

"We, the undersigned members and adherents of the Presbyterian Church of Canada, do hereby humbly crave your counsel, and help, and advice on the following matter. There are about fifteen families of us who conscientiously feel that we cannot derive any benefit whatever from the ministrations of the Rev. Ewen McQueen, of Gould, to whose Church we were at one time attached. In fact, we found ourselves not only no better, but rather the worse for sitting under his ministry, and so withdrew from the Church. We now find ourselves without regular ordinances, and so come to your Rev. body for relief. We are perfectly willing to support the Gospel in every way possible, and will be glad to co-operate with this Presbytery in any plan they may devise for our help. We

would humbly suggest, would it be possible for us to have a minister or student give us some services at regular intervals?

"Praying that your Rev. court will devise some means for our relief, and that we will not need to present this petition to any Church, but to our own beloved Presbyterian Church,

"We are, Sirs,

"Yours sincerely."

Here follows the names of 17 members and 36 adherents. (Exhibit 23.)

#### Light out of Darkness.

I had, just a little before receiving the foregoing petition, completed my sermon for the Sabbath from the words: "Unto the upright there ariseth light in the darkness" (Ps. cxlii : 4). My mind, preoccupied with the consolation of my subject, reading the petition, awakened no uneasiness. My dear wife, however, on reading it, hurst into tears. For about a quarter of an hour I stood beside her in silence, and after she had sufficiently calmed herself, we both knelt together in prayer, asking earnestly for divine help under the circumstances. My wife being somewhat comforted in prayer, I assured her that my peace of mind was in no way disturbed. Going to the post office, I met Mr. McDonald, who went round with the petition, and asked him for the original, as my Session could only deal with that, for transmission to the Presbytery. He replied that the original would be before me at Presbytery. I asked him then if I could meet the leaders in this movement in order to consult with them in private. To this suggestion he replied that he would see. They never appeared before me, for had they, my mind had already been prepared to leave this place. The total contribution of Mr. McDonald to the funds of Lingwick congregation is about \$7.

#### Session's Finding.

The Sabbath following, February 21st, 1909, I read the petition after the English service. Many of those who had signed the petition, on learning that it was read in public, were ashamed to be seen for some days. The Session met March 1st, 1909, and found, "inter alia": (1) That this petition was not the original, and that it was not written out by members or adherents of this congregation. (2) that at least some twenty names on the petition were neither members nor adherents from the congregation of Lingwick; (3) that the authors of said petition were actuated solely by malice, and that their aim was to overthrow by violent means the pastoral relation; (4) that the petition, being hatched in secret conclave, was inspired by parties outside of this congregation; (5) that the congregation of Lingwick suffered great injury in the past—in fact, throughout its entire history—from disgruntled leaders, who on several occasions, and under every pastorate, divided the congregation of Lingwick; (6) that any countenance given to petitioners would bring loss of self-respect, of dignity, and prestige to the Presbytery. That for these and other reasons refuses to transmit a document not couched in respectful language, nor yet a petition of reasonable men, but the expression of a few evil-disposed persons without a ruling sense of right and duty, and mutually exciting each other to violent methods of procedure, to the injury of our good name and to the dishonor of God's great name.

#### Presbytery's Action in the Matter.

At a meeting of Presbytery, held in Sherbrooke on the day following, i.e., March 2nd, 1909, the petition aforesaid, written in type and transmitted by the parties representing it, was read out by the Clerk. I objected to the petition being read at all, because it was not transmitted

through Session. My objection was overruled. I then entered my dissent on the grounds (1) that the petition was not in proper form; (2) that it was not couched in respectful language; (3) that it was not transmitted through the Session. The Rev. James McFarlane rose up and said "The petition is not disrespectful to us as a Presbytery." Rev. Mr. Clarke said it was not too bad. I then pointed out to the Presbytery that the petition was not before the Presbytery as it was originally drawn out in the handwriting of some one. At this stage Mr. Angus G. McKay rose up and said: "I do not know anything about the petition or who got it up. I never asked any one to sign it." I thereupon rose and asked the Clerk to take down his words. This he refused to do, saying that if he would repeat them he would take them down. A shrewd observer in my congregation, on hearing of this, said: "So there is a time when it is quite safe to lie before your Presbytery." All my objections being overruled, petitioners were heard through their representatives, Messrs A. G. McKay, M. A. McIver, and Angus McKay. Mr. A. G. McKay, in particular, made a boast of 30 families following him out and five more to follow. Petitioners being heard, Rev. Mr. Clarke moved, and Rev. Mr. McFarlane seconded, that the request of petitioners be granted. Before the motion was put to the Presbytery, I rose and said that I would not be a party to divide the congregation of Lingwick, and that no interest of mine would stand in the way of the unity of the Church at Lingwick, that I placed myself entirely in the hands of the Presbytery, and that I tendered my resignation immediately if that course would prevent division. Rev. Mr. McLeod, Marsboro, warned the Presbytery that they would destroy the congregation of Lingwick by accepting my resignation. Mr. Angus G. McKay rose up and said: "No, no, we do not want your resignation." It was then moved by Mr. Wylie C. Clark, seconded by Mr. J. A. McFarlane, and agreed to, "That, having heard the petition of Mr. Alex. McRae and others, and also having heard Mr. McQueen for himself and the Session of Lingwick, the Presbytery grants the prayer of petitioners to have divine ordinances as they may be able to provide for them, but the Presbytery expects petitioners to conduct themselves in such a manner as not to interfere in any way with the members or work of Lingwick congregation."

#### Has the End come now?

I did not wish to be the means of dividing my congregation, and said so at the proper time before the Presbytery, and said so also on my return from Presbytery, to the congregation of Lingwick. I had made arrangements, long before hearing of a petition, for taking a trip to the west for the summer.

#### Congregation of Lingwick take Action.

At the request of my elders and others a congregational meeting was called for March 31st, 1909. This meeting was represented by upwards of seventy-four families, all the organizations of the Church being in full attendance. The congregation, by a standing vote, declared their united front against division or countenancing division in any form. A public address, on being read and adopted by the congregation, was presented to me by the standing vote of the congregation. \$100 additional was voted to my stipend. By special request and public vote, I was asked not to take a vacation for that year.

#### Services of Mission Station.

On my way home with the evening mail, about 9 p.m. on Saturday, June 26th, 1909, I was hailed at the outer gate by Rev. W. T. McKenzie, of Scotstown. He introduced me to Rev. J. M. McLeod, missionary-elect

to Korea. Mr. McLeod made the statement to the effect that he was sent by the Foreign Mission Committee of our Church to raise from the Highland congregations of the Eastern Townships a salary as missionary to Korea. He made known to me also his intention to preach to the seceding part of my congregation. I made known to him the situation, and told him that, while the Presbytery granted them liberty to hold separate services, they were not yet organized into a mission; that no Moderator was appointed over them; at it was my aim to re-unite them and to prevent division. I offered him the church to preach in and also the hospitality of my house, all the collections raised, and to preach as long as he had a mind to. I pointed out to him also that, in dividing my congregation, his appeal for assistance would be weakened; that if the congregation agreed to assist him, it could be done to better advantage by keeping the people together. He insisted on preaching to this new body termed the mission station. I learned from him that his only authority for coming to them was Mr. John McAskill, an adherent from this congregation, and also a man from Milan. As Mr. McLeod was bent on keeping his engagement with these men, I said no more, but warned him that it would reflect upon him in after years. The new mission station, thus irregularly formed, began with a great flourish of trumpets. In the month of August they formed a Sabbath School. They also opened prayer meetings, Mr. Angus G. McKay leading in all these matters. The congregation took no notice of the movement, and went on in the usual way with the work.

#### **The End not yet in Sight. The Memorial.**

On Monday night, September 6th, 1909, I received a telegram from Rev. J. R. McLeod, dated September 6th, 1909. It read as follows:

"Received to-day and previously documents from Gould Mission for Presbytery."

Now that the mission station was formed, we thought ourselves secure from further intermeddling. What could these documents be, anyhow? This was the first heard of them. I had sufficient experience of matters sprung upon Presbytery all of a sudden. Was this another movement to take me by surprise? Well, if they are documents, we shall consult them at our leisure. It was the ill fate of Julius Caesar to receive documents which he had no time to read. This is not the Ides of March, however—this is September. Let the Clerk forward a copy of the documents.

#### **Sealed and Registered Documents. Are they Inspired?**

The documents are the following:

(1) "Presbytery of Quebec, St. Andrew's Church, September 8th, 1909. The Clerk being asked if he had yet received the documents in the hands of Mr. E. McQueen and the Session of Lingwick, which the Presbytery two and a half years ago ordered to be transmitted to the Presbytery, answered that he had not received any of the said documents. It was then moved by Mr. Jas. Hastie, duly seconded, and unanimously agreed to, that Mr. McQueen be ordered to forward these documents immediately to the Clerk."

(2) "To the Rev. the Presbytery of Quebec.

"It has come to our ears that the Rev. Ewan McQueen has made statements from his pulpit, and in private also, to the effect that if the present split in the congregation of Lingwick could be healed by his removal from his present field of labor, that he would gladly demit his charge, as he does not wish to be the means of splitting the congregation. This information we have on good authority. We, the undersigned members and adherents, having left the congregational services for the present, do hereby declare our loyalty and love to the Church of our fathers, and do hereby declare that we will at once return to our former relations with

the Presbyterian Church at Gould should the Rev. E. McQueen be removed. He is the only barrier that is keeping us away. Trusting that the Rev. Mr. McQueen and the Presbytery will see the necessity of taking this step in order to restore peace and harmony to our congregation."

Signed, or alleged to be signed, by 18 members and 69 adherents—in all, 87 persons. Angus G. McKay was heard on behalf of the memorialists. That was enough. Angus ought to be a good speaker by this time. The memorial is dated "Gould, August 20th, 1909."

(3) Presbytery's minutes on the foregoing:

"There was submitted a memorial from Alex. McTae and 86 others, now adhering to the new congregation or mission at Lingwick, setting forth that they have been creditably informed that the Rev. E. McQueen had intimated in public and in private his readiness to demit his charge should such a course heal the division there, declaring their loyalty and love for the Presbyterian Church, and informing the Presbytery of their readiness to return at once to their former relations with the Lingwick Church in the event of Mr. McQueen retiring from the pastorate thereof. The memorial was received, and Mr. A. G. McKay, duly commissioned, was heard in connection therewith. After deliberation, it was moved by Mr. J. A. McFarlane, seconded by Mr. Jas. Muir, and agreed to unanimously, that a committee, consisting of the mover, Mr. Wylie C. Clark, and Mr. Jas. Hastie, be appointed to interview Mr. McQueen with a view to effecting a peaceable and final settlement of this matter. There was also submitted a document from the said organization, signed by Mr. John McAskill, Secretary-Treasurer, in which there was set forth the request that Mr. W. T. McKenzie be appointed Moderator, with power to complete the organization. Mr. McKenzie, duly appointed to support the request, was heard, and who at the same time submitted an interim report on the numbers and finances of this congregation. Mr. McKenzie was appointed in response to the request." (Exhibit 26.)

This latter clause was afterwards changed, Mr. McKenzie stating that the appointment of a Moderator was deferred.

With regard to the minutes "in retentis," the question came up before the Presbytery irregularly in March, 1906, when a request is alleged to have been made by Mr. Angus G. McKay to have the minutes destroyed. Mr. Angus G. McKay, in the compact of agreement, did not put forward this claim, neither did he ever afterwards bring the matter before the Session. The question was sprung upon us of a sudden at the Presbytery. I directly opposed the destruction of the minutes and refused any consideration of such a proposal. Rev. Jas. McFarlane made an unprovoked attack upon me, this being his first appearance in the Presbytery of Quebec since becoming pastor at Levis. He made his attack upon me before even bearing me on the matter before the court. He was compelled, however, to withdraw. But withdrawal and formulating charges becomes as natural to Rev. Jas. McFarlane as they do to Angus G. McKay. He then asked if I had any objection to forward minutes "in retentis" to the Presbytery for safe-keeping. I replied that I saw no objection to that course, but that, meantime, the Session required the minutes, as a civil action might impend thereon, and because the divisive courses followed by Mr. Angus G. McKay and a few others had not yet come to their end.

#### **The Session adopts Precautionary and Deliberate Measures.**

Now that the renowned Mr. Angus G. McKay reappeared on the scene clothed with all the rights of a petitioner from the congregation of Lingwick, and that there appeared a manifest change of front on the part of the Presbytery, the Session felt that it was time to resist this encroachment by the Presbytery on the rights of the congregation of Lingwick. The Session met, September 25th, 1909, and in regard to the minutes "in retentis," in the case of Mr. Angus G. McKay, declared as follows:

"The minutes in question are the property of the Session and not of the Presbytery. That it is the privilege of the Session to have access at all times to their own minutes. That the Session will agree to transmit the minute to the higher court when properly required."

In regard to the memorial, the Session finds (1) that the prayer of the memorialists is a direct breach of faith with the finding of the Presbytery at Sherbrooke in creating the mission station, the finding of the Presbytery being as follows: "The Presbytery grants the prayer of petitioners . . . and that the Presbytery expects petitioners to conduct themselves in such a manner as not to interfere with the members or work of Lingwick congregation." (2) That, in view of Presbytery's own action in dividing this congregation, its opportunity to unite it again is gone, and that its greatest service to this congregation is to let it alone. (3) That reunion on the basis proposed by the memorialists would not be for the interests of the congregation, and that further interference with the proper rights of this congregation will be resisted and the whole question of the Presbytery's conduct raised to the higher courts.

#### Sudden Appearance of Rev. Jas. McFarlane.

On Wednesday morning, about 10.30, Rev. Jas. McFarlane called unexpectedly at the Manse. He made known that, being in the neighborhood, he paid us a friendly visit, and at the same time he wished to put forth a feeler as to how I felt over the situation. I told him, frankly, that I had very substantial reasons for not giving him my confidence, and also reasons for not receiving the committee on the basis of a memorial which was of itself insulting. I assured him that a visit from a committee of Presbytery to inquire into the affairs of the congregation and of my work would be welcomed, and offered to take the committee on a visit throughout the congregation, and in particular to every memorialist on their list. We parted on the understanding that he was to write me. He accordingly sent me the following letter:

"Levis, October 12th, 1909.

"Dear Mr. McQueen,

"You have had from the Clerk of the Quebec Presbytery an extract minute referring to a memorial presented by certain parties belonging to the new mission station inaugurated in Lingwick, in which these parties express a desire that their mission and your congregation should be united. It is suggested in the memorial that such reunion is dependent upon the congregation becoming vacant. As you had signified at the March meeting of Presbytery your willingness to demit your charge if it would lead to such an issue, the Presbytery of Quebec, at its September meeting, appointed a committee to interview you on the matter, so as to ascertain your mind on the subject. Your absence from Presbytery made it impossible to consult you then and there. Will you be good enough to state when it will be agreeable to you to have the committee visit you? Perhaps you may have something to say by letter that might save the trouble and expense of a visit. If so, we shall be pleased to have you express your mind freely to us in your reply to this note.

"Sincerely yours,

"J. A. McFARLANE."  
(Exhibit 27.)

#### Reply to the Foregoing.

"Rev. James McFarlane, B.D.

"Dear Sir,

"With reference to your letter of the 12th inst. proposing an interview in the matter of a memorial by Angus G. McKay and others, praying for my removal from my pastoral charge of Lingwick, I have simply to say that, in view of my dissenting from the Presbytery's mode of procedure



with regard to the aforesaid parties, and in view of my public offer at the time before the Presbytery to resign immediately my pastoral charge to prevent division; in view of the Presbytery's own resolution, in the face of that offer, creating division, a resolution which not only emasculates all reasonable grounds for the Presbytery's present action, but makes the reading of your letter appear foolish; in view of your own action in leaving the Moderator's chair in order to appoint the committee over which you are the self-constituted convener, reducing the Presbytery to a condition of impotency bordering on panic; in view of a better and fuller knowledge of the working in secret conclave of parties outside my congregation who are responsible for the present condition of things, and of whose doings it were a shame even to speak of, but whose action, withal, is a standing memorial of the trials and triumphs of a workman in the Master's vineyard who is not ashamed; in view of the fact that it is intolerable for a Church possessing the spirit of the Great Head of the Church to be hound hand and foot by a party who have made lies their refuge, who under falsehood have hid themselves, and who with Hell are at agreement, when she knows that God will sweep from their present foundation every such, when she knows herself possessed of weapons to condemn every such tongue rising in judgment against her; in view of the fact that this congregation is not only united and working together in harmony, but living as far as possible on terms of peace and goodwill with those who are so far out of sorts with themselves; in view of the fact that we trust to the Great Head of the Church for protection, and prefer to wait under discouragements and disappointments for that time when every offence shall be removed and brethren see eye to eye, than hastily take refuge in a situation with no certain base or construction and no certain sound to heed; in view of the fact that terms of communion for our Church were derived from powers vested under the constitution, and that acts and resolutions which form no part of the compact are void, and in general do more injury than good; in view of the foregoing and other considerations, it were a lowering not only of my own but of my congregation's integrity and good name to consider a proposition which, on the face of it, with all respects to good intentions, is, to say the least, an impertinent interference with my rights as presbyter and with the pastoral relation at Lingwick.

"I am, dear Sir,

"Yours respectfully,

"E. McQUEEN.

"At Gould, Que., October 28th, 1909."

#### **Action of Presbytery and Demand for an Apology. Pursuit of a Flea.**

The committee appointed to interview me did not appear. The Presbytery's order was not carried out. At a meeting of Presbytery, held at Richmond, December 7th, 1909, the Presbytery called for the report of the committee appointed at the preceding meeting to confer with Mr. E. McQueen with a view to composing difficulties or restoring harmony at Lingwick, and Mr. J. A. McFarlane, convener, reported. This report was, in substance, that the committee had directed the convener to proceed on that mission alone, hoping it would be unnecessary for the committee to proceed thither, that he had done so, that his visit did not yield the hoped-for fruit, and he then submitted and read a communication from Mr. McQueen showing his attitude toward the committee and the Presbytery in this matter. The report was received, and the Presbytery entered on consideration of the same. Several of the members expressed surprise and disapproval of lack of courtesy shown by Mr. McQueen toward a committee of Presbytery and lack of respect toward the Presbytery. It was moved, duly seconded, and agreed to, "Whereas, Mr. McQueen, in his letter to the convener of the committee appointed at the September meet-

ing of Presbytery to interview him with a view to effecting a peaceful and final settlement of certain difficulties in his congregation, characterized interposition of the Presbytery as an impertinent interference with his rights as a presbyter and with the pastoral relation at Lingwick, the Presbytery requests Mr. McQueen to retract these words and to apologize to the court."

Here we have a long, elaborate minute, which shows not only great irregularity on the part of the Presbytery, but is incorrect in most particulars. The Presbytery should have dealt with the committee for not carrying out the order of Presbytery. The visit of Rev. James McFarlane was not official. His own letter, written some fifteen days after his visit to me, shows that his visit was not official. "Will you," he says, "be good enough to state when it will be agreeable to have the committee visit you?" Mr. McFarlane requested a letter from me in order that the committee may be saved the trouble and expense of a visit. He requests that I write frankly and freely. And now the Presbytery brings me to task for being too free, founding a condemnation on my answer. This is the last violation of formal justice. In a registered letter received from the Clerk of Presbytery, containing the foregoing extracts of minutes of Presbytery, he says that the committee had two late sittings over my letter. Of course he does not say that the committee had slept over it, but he might have said they were not sufficiently wakeful to take in James Russel Lowell's epigram: "It would be well for the world if some people would stop talking when they stop knowing."

#### The Apology.

At a meeting of Presbytery, held in Sherbrooke, March, 1910, on being called to the bar of the Presbytery to answer for the words complained of, I submitted the following statement:

"The minute of Presbytery distorts the true meaning and effect of my letter, in separating expressions from the context which shows the sense in which they were used, in omitting the preamble which forms the subject to the expressions complained of, and which makes it evident that it is the prayer of the memorialists for my removal that is an impertinence and not the appointment of a committee of Presbytery to interview me. In order to remove all ambiguity, I request the Presbytery of Quebec that the paragraph in question be changed to read as follows: 'in view of the foregoing and other considerations, it were a lowering not only of my own but of my congregation's integrity and good name to consider the proposition of a memorial which, with all respects to good intentions on the part of the committee, is, on the face of it, to say the least, an impertinent interference with my rights as presbyter and with the pastoral relation at Lingwick.'"

At his first appearance before the Presbytery of Quebec Rev. James McFarlane saw fit to impart to me these words by way of counsel: "It is what we do ourselves that does us injury, not what others do unto us." The fallacy underlying the foregoing aphorism is that, if others did us no injury, there would be no occasion for a judgment day to avenge the injury done by others. There is an element of truth in this statement, however, and it is not to Rev. James McFarlane's honor or to the prestige and good name of the Presbytery of Quebec to find and confess themselves, as practically they do, the mouthpiece and associate of impertinent, if not worse, men.

The Presbytery of Quebec, at a meeting held in the city of Sherbrooke, March 1st, 1910, on receiving my written statement aforesaid, finds as follows:

"The Presbytery accepted Mr. McQueen's words and explanation, allowed the paragraph to be changed as requested, and to be inserted in the minutes of this meeting."

Although the Presbytery accepts Mr. McQueen's words and explanation, Mr. McQueen refuses to accept the minute of Presbytery on the charge formed against him, hence the appeal to the Synod remains in full force.

#### **Confounding Moral Distinctions.**

When the Presbytery of Quebec created the mission station at Lingwick they said to the parties forming the mission station: "You are not to interfere in any way with the members and work of Lingwick congregation." Six months after the foregoing finding the Presbytery receives a memorial from said mission praying for the removal of the pastor of Lingwick congregation, and appoints a committee of three men to interview the pastor to give effect to this memorial. Does the Presbytery of Quebec confound moral distinctions? What more direct interference with the members and work of Lingwick congregation than the removal of the pastor? If, as is alleged, the Presbytery aimed at composing difficulties at Lingwick, what are the difficulties at Lingwick but the creation of the Presbytery? Does it seem the work of wise men to break the pitcher into fragments, spill its contents, and then try to repair its own follies? Can the fragments and contents be gathered which "you have so deliberately shattered"?

#### **The Ideas that Rule the World.**

The Rev. Jas. McFarlane, who saw fit to leave the Moderator's chair in order to put the motion appointing a committee to confer with me, is no doubt possessed of ideas. It is said of ideas that they rule the world. There is no doubt but Rev. James thinks himself possessed of such ideas. That was a great idea of his to set up a Bible Institute at Norway Bay. It took him many years to conceive it. He occupied much time in our Church courts to propagate it. And what a glorious realization, an exploded hubbly! Rev. Jas. McFarlane did not profit by the explosion of that idea. Oh, no! he could not, for he possesses great grace to tread in the untried path, but none to follow the well-beaten track or learn by experience. When he arrived at Lingwick, however, he was somewhat illusionized, not that we at Lingwick disregard ideas, but because it is the universal idea that holds us.

#### **Petitioners and Memorialists—who are they?**

But who are the petitioners and memorialists? How comes the petition and memorial to be headed, for example, by Alexander McRae? Did he ever compose either of these documents? Did he ever read them? Can he read them? Could he understand them if they were read to him? These are very interesting but very embarrassing questions, no doubt. For Alexander McRae can neither read nor write in either Gaelic or English. He is an old man, retired from farming and removed from the bounds of Lingwick congregation. Of the number of his followers there are at least 37 names who never contributed \$1 to the congregation of Lingwick, and there are 66 names who contributed for all purposes, in 13 years, \$189, while the total contributions in 13 years to the schemes of the Church by all of the 86 names is \$61.22. That is equal to about five and a half cents a year a piece. And for them that is a little better record than their past entire history.

#### **The Alleged Love of Petitioners for the Presbyterian Church.**

But there is another and a greater difficulty in the way of composing the difficulties at Lingwick—to wit, to prove the love and loyalty of memorialists for the Presbyterian Church. Within two months or so after presenting the memorial, the whole of the memorialists, with the few

discredited leaders excepted, went over in a body to the Cooneyites. Mr. Cooney and his agents came amongst them and taught that the churches were all wrong, that those who remained within it are lost, that the Lord Jesus never founded churches nor a trained and paid ministry. Those men who especially were sent to procure signatures to the memorial and petition, on hearing this new gospel, which answered so well to the unwritten law of their lives, said of their new teachers that they opened their eyes, and that they alone preached the Bible as it is, without money and without hire.

#### A Put-up Job.

Who wrote petition and memorial? Not a member or an adherent of Lingwick Church inspired it or worded it. Not a member or adherent of Lingwick Church ever asked that such be done. The petition and memorial were composed and written out in Montreal, written and composed by a Presbyterian minister residing then in Montreal. I came into open debate with a Montreal minister whose writing reveals him more in the light of a mountebank and buffoon than a man of education. But who is this conspirator? Can it be Rev. W. D. Reid? In 1904, or five years before, he wrote: "I know that the Presbytery of Quebec would be glad to get rid of some of its members." Has he or some other entered into conspiracy, with the knowledge and assistance of some members of Quebec Presbytery? If so, we would expect the petition and memorial to be invested with the sanction and dignity of an official execution. The preliminary counsels, of course, must be private, but the deed must be performed in such a manner as raising the perpetrators thereof acting in the public interest. At all events, we find that the Presbytery, for some unknown reason, met at Sherbrooke, March, 1909. It is a well-known fact that some presbyters knew, not only who wrote the petition, but knew of its coming. There were some who not only knew, but were overheard to say: "Mr. McQueen will not stand this; of course he will resign." There was another overheard to say aloud on the railway platform at Sherbrooke on the following day: "it was a put-up job."

#### Fear Possesses Conspirators.

It is said of the leading conspirator in the death of Julius Caesar that he could not find courage to venture on the deed until he first hardened his heart by studying intently the statue of his rival, Pompey. In other words, he could not venture on the deed until his heart was turned into stone. So the leading conspirator here had his heart steeled by the Kinnear's Mills rebuke ere he wrote the petition. It is said also, of the twenty-three wounds inflicted on Caesar, that one only proved fatal—the one, to wit, inflicted by Brutus, whose friendship was acclaimed the loudest. It is true also in this case that, when I offered my resignation to prevent division, only one among the presbyters—he who pretended greatest friendship—had the foolhardiness to act upon it, the Presbytery being warned by a neighboring clergyman that, in accepting my resignation, they would destroy the congregation. Those most anxious for my execution feared to give the fatal thrust. The idea of March on this occasion did not yield the required omens for the would-be conspirators. They lost heart at the critical moment. I have an altar to which I may approach which Caesar never knew, the altar of One who said: "There is nothing hid but shall be revealed. Fear not, therefore, them that kill the body, and after that have no further power."

#### The Kidded Glove and Violence.

The hoped-for fruit of Rev. Jas. McFarlane's visit not forthcoming? Why? Does not his communication show the kidded glove? Oh, surely Brutus, who inflicted the fatal wound on Caesar, could never appear more

friendly than he! Caesar, assailed by conspirators, exclaimed, "This is violence!" And this unprovoked assault upon the pastoral relation at Lingwick is nothing short of violence. It is even worse than violence. To be cut off by envious daggers at a moment's notice would not be an impossible death for many of us, but to be hewed as a carcase fit for hounds, to be hunted with the pangs of death dispensed in the name of religion, and executed through refined cruelty having the sanction and dignity of ecclesiastical procedure affecting a minister's whole life and work, is a modern and intolerable form of persecution leading toward a cleavage which will prove disastrous to the Presbyterian Church in Canada or elsewhere. An unscrupulous leader or aspirant to leadership who, under such a system, can command a majority for the moment, may at once get rid, without cause assigned, of any presbyter who dares have a mind of his own.

### **Obedience is not Servility.**

While proving obedience to authority from a child, I have not learned of the Lord to become senile and servile to such a situation as this! To bow to a despotism that represses thought and effort indicates a feeble conscience, the sandbank of arbitrary reformers. I and my congregation at Lingwick worked together in harmony, making progress in the Lord's work. The year ending March 31st, 1909, witnessed 14 new members added to the Church, it showed the greatest contribution to Church schemes, and the largest balances in all our treasuries. Suddenly and unawares the congregation, or, rather, the most weak-minded among us, were secretly raided by an infamous petition, the creation of conspirators who did not belong to this congregation. The petition, if such it may be called, was an outrage on the feelings of my congregation and community. It did us some injury, but it will injure most its authors and abettors. There is a time when silence is golden, while holding powers in reserve which is held in leash. There is also a time when men of will who have suffered long in silence are constrained to speak aloud. That time is now come.

### **Petition to Synod.**

"To the Very Reverend the Synod of Montreal and Ottawa:

"The petition of the Kirk Session of Lingwick respectfully represents:

"(1) That the Rev. the Presbytery of Quebec, at a meeting of Presbytery, held at Sherbrooke, March 7th, 1905, did receive and cause to be read in open court a document purporting to be an appeal by Angus G. McKay, a member of this congregation, which was not transmitted through Session. That the said document was found defamatory, libellous, and false in every particular. That the floor of the Presbytery was irregularly made use of to circulate libellous and defamatory statements.

"(2) That at a meeting of Presbytery, held at Richmond, December, 1906, the Rev. the Presbytery of Quebec did receive a document purporting to be an appeal by the said Angus G. McKay, not transmitted through Session, and, in the face of a protest by pastor, the Presbytery, without hearing the Session, did issue their own deliberate judgment, which directly interfered with the Session in the just and proper exercise of discipline in the case.

"(3) That the Rev. the Presbytery of Quebec, March 6th, 1907, at a meeting of Presbytery, held at Quebec, did enjoin the Session of Lingwick to disjoin the said Angus G. McKay by certificate from the congregation, and, in obedience to this order, the Kirk Session of Lingwick, on April 2nd, 1907, disjoined the said Angus G. McKay by certificate from this congregation, and that since disjoining the said Angus G. McKay from this congregation, the Presbytery of Quebec allowed the said Angus

G. McKay the standing of a petitioner from this congregation, particularly in the following instances: At Sherbrooke, March 6th, 1909; at Quebec, September, 1909; and at Richmond, December, 1909.

"That the said Angus G. McKay continued divisive courses in this congregation before and after being disjoined therefrom.

"(4) That the Rev. the Presbytery of Quebec, at a meeting of Presbytery, held at Sherbrooke, March 6th, 1909, received a petition purporting to be from members and adherents present and past of the congregation of Lingwick, not transmitted through Session. That the said petition, while ostensibly asking leave to form a mission station, was in reality a movement by a few disgruntled leaders to hire a public preacher for a few months in order to force the resignation of the pastor. That the Session not only refused, for just and proper reasons, to transmit the said petition, but warned the Presbytery of the real intent of petitioners. That the Presbytery, notwithstanding, received said petition, and without obtaining the information necessary according to the constitution, as to willingness and ability of petitioners to supply ordinances, and in the face of the pastor's offer there and then to resign his pastoral charge at Lingwick, in order to prevent a division in his congregation, the Presbytery sanctioned prayer of petitioners to form a mission station and left them without a moderator to guide them as to what they ought to do.

"(5) That an adherent from among the petitioners, of his own accord, hired Rev. J. M. McLeod, missionary-elect to Korea, to conduct services in the township hall of Lingwick, in opposition to protest of pastor. And that, without the knowledge of Presbytery, the said Rev. J. M. McLeod did hold opposition services for some six weeks, beginning June 26th, 1909. That the so-called mission station, failing to materialize, the majority of those forming it are now outside the Presbyterian Church.

"(6) That the Rev. the Presbytery of Quebec, March 6th, 1909, disjoined a schismatical body or small section of this congregation and others, allowing them to conduct services in an irregular manner, and enjoining them not to interfere in any way with the members and work of Lingwick congregation, and that in September, 1909, at a meeting of Presbytery held in Quebec, the Presbytery of Quebec received a document purporting to be a memorial from said schismatic body, seeking reunion with the congregation of Lingwick on condition of the pastor's removal by the Presbytery. That the Presbytery, without conferring with the Session of Lingwick, acted on said memorial, appointed a committee to confer with pastor with a view to demitting his charge, the Presbytery thus constituting a schismatic body sole authority for the Church from which they withdrew. The very request of memorialists proved what the Session in March previous warned the Presbytery against—to wit, the removal of the pastor by violent methods—was sole aim of memorialists who on that occasion appeared as petitioners.

"That this Session regards memorial as a direct breach of faith with the finding of the Presbytery in March, 1909—to wit, 'that the Presbytery expects petitioners to conduct themselves in such a manner as not to interfere in any way with the members or work of Lingwick congregation.' And, further, that in view of the Presbytery's own action in dividing this congregation, this Session regards their opportunity to unite it again past, and that their greatest service to this congregation is to let them alone.

"(7) That the aforesaid proceedings of the Rev. the Presbytery of Quebec are irregular and unconstitutional, and have been a source of great injury to this congregation, to true religion, to a loss of respect and prestige to the Presbytery, and demoralizing to petitioners. That the authors of these proceedings are a few persons, disgruntled leaders, who have all along its history divided this congregation. That they are actuated solely by malice, and that their standing, present and past, disproves utterly their allegation of being loyal Presbyterians.



"Wherefore, the Kirk Session of Lingwick hereby petition the Very Rev. the Synod of Montreal and Ottawa to consider whether the constitution of our Church in the aforesaid actions of the Rev. the Presbytery of Quebec has been acted upon or not, and to set aside and to quash what is inconsistent with the constitution and with good government in our Church, and to sist all proceedings of Presbytery in the affairs of this congregation and community which tend to weaken or destroy the Presbyterian Church, and to take such action as shall preserve the integrity and loyalty of this congregation to the Presbyterian Church, and to search and to inquire diligently as to whether the Presbytery of Quebec, or any members thereof, have created, countenanced, or aided a schism in this congregation, and, if so, that the matter be brought before the Venerable the General Assembly without delay.

"Extracted from the records of the Kirk Session of Lingwick by me,

"E. McQUEEN, Clerk.

"At Gould, February, 1910."

#### **To what End is the Constitution?**

The Church by her constitution has made ample provision for the correction of all errors and disorders. We have an organized succession of Church courts guarding the interests of truth and securing order and purity, from the Session to the General Assembly. There is no occasion for the spirit of faction, as if Providence will never give us another opportunity for determining the power of the Church. If any court of the Church is not conforming to the constitution, if it acts against the powers which are vested in our Church courts, then what has been done has been done against law, and the higher courts are bound to interfere, because such proceedings are an infringement and violation of the constitution, without which the Church cannot exist as a body at all. The moment any court of the Church goes beyond the constitution they are acting "ultra vires"; they are acting in breach of their own solemn compact, and the proceedings which they thus perform may be quashed and declared to be void.

On three specific occasions—to wit, March 7th, 1905; December, 1906; March 6th, 1909—the Presbytery of Quebec received documents purporting to be petitions and appeals by alleged members of the Church, which had not been transmitted through Session. The constitution of our Church says (Section 16, p. 11): "Members of the Church have access to the higher courts only through the Session, which transmits petitions, memorials, or overtures to the Presbytery."

In all his appearances before the Presbytery, by appeals and petitions affecting the Session of Lingwick, Mr. Angus G. McKay had but one petition transmitted through Session. He was heard before the Presbytery, March 7th, 1905; December, 1906; April, 1907; March 6th, 1909; September, 1909; and December, 1909, in all of which appearances he touched on matters affecting the Session and congregation of Lingwick. In at least four instances he was heard unknown to the Session. In two instances—to wit, December, 1906, and September, 1909—the Presbytery of Quebec took action in the matter of these appearances in matters affecting the congregation and Session of Lingwick unknown to the Session.

Section 174 of the constitution says: "Every member of the Church has the right of access to any Church court by petition or memorial, and he may be heard in support thereof if he so desires. He has direct access to the Session of the congregation to which he belongs, but a petition or memorial to a higher court must, in the first place, be presented to the Session, with a request for its transmission."

Section 175 says: "A lower court transmits a petition or memorial

with or without approval or concurrence, as it sees fit. Before transmitting, the court should see that the petition or memorial is in proper form and expressed in respectful language. If transmission is refused, the petitioner or memorialist has the right of appeal."

These are ordinary rules of justice recognized by the Presbyterian Church all the world over. They have been completely ignored by the Presbytery of Quebec in the matters aforesaid. How does the Presbytery defend their action? They appointed certain men to defend themselves, and they take shelter under an impossible plea. It was moved by Mr. W. C. Clark, seconded by Mr. M. McLeod, and agreed to, "that the members of the Session of Lingwick be cited to appear at Cornwall at the forthcoming meeting of Synod, that they may then be examined as witnesses in connection with their petition to the Synod" (minute of Presbytery, March, 1910). The Kirk Session of Lingwick needs no witnesses beyond the constitution of the Church. Sections 193 and 194 say: "The higher court, after inquiring into the regularity of the proceedings minuted, the correctness of the record, orders the record to be attested, if necessary, 'cum nota.' In connection with such review, the higher court may give special instruction or admonition to the lower, and may order any part of the record that is irregular to be cancelled or deleted. Notwithstanding attestation of the record, if, after such review, it comes to the knowledge of the higher court that a lower court neglects its duty, or has committed grave irregularities, it may take such cognizance thereof as is deemed necessary." The irregularities pointed out will be found on the minutes of Presbytery, and anything necessary to obtain additional knowledge will be found on the minutes of Session. The members of Session have no further witness to give. The irregularities of Presbytery's own records are so glaring that the higher courts will have no difficulty in ascertaining the truth complained of in the petition. The Kirk Session of Lingwick requests no more than to set aside and to quash what is inconsistent with the constitution, and to take such cognizance of the Acts of Presbytery in the matter as the violation of the constitution demands.

#### Minutes "in retentis." Straining at a Gnat.

At a meeting of Presbytery, September 8th, 1909, when Mr. A. G. McKay appeared in behalf of the memorialists, "inter alia," "The Clerk being asked if he had yet received the documents in the hands of Mr. E. McQueen and the Session of Lingwick which the Presbytery two and a half years ago ordered to be transmitted to the Presbytery, answered that he had not yet received any of the said documents. It was then moved by Mr. Jas. Hastie, duly seconded, and unanimously agreed to, that Mr. McQueen be ordered to forward these documents immediately to the Clerk." (Exhibit 25.)

The foregoing minute of Presbytery shows that the documents called for are not in my sole possession—shows that I have not sole jurisdiction in the matter. At a meeting of Session, September 25th, 1909, the Session considered the foregoing extract minute of Presbytery, and finds as follows: "That the minutes in question are the property of the Session and not of the Presbytery. That it is the privilege of the Session to have access at all times to their own minutes. That the Session will agree to submit the minutes to the higher court when properly required." At a meeting of Presbytery, held at Richmond, December 7th, 1909, "the Clerk, being interrogated anent the documents in the hands of Mr. McQueen and the Session of Lingwick, which documents were ordered to be forwarded to Presbytery at the September meeting, replied that he had not received any of these, and submitted an extract minute of the proceedings of the Session of Lingwick, setting forth the Session's refusal to obey the Presbytery in the matter. This extract minute having been

read and considered, it was moved, duly seconded, and agreed to: 'Whereas, Mr. McQueen was instructed to forward these documents to the Clerk; and whereas, Mr. McQueen has notified the Presbytery (by extract minute) that the Session of Lingwick seems to regard these as the property of the Session, the Presbytery hereby orders the said Session of Lingwick to forward the said documents to the Clerk of Presbytery without delay.' At a meeting of Session of Lingwick, January 3rd, 1910, the foregoing extract being duly submitted, the Session finds as follows: "The Session does not, as minute of Presbytery states, refuse to obey the order of Presbytery, but will agree to forward minutes in question when properly required. The Session takes the ground that the minutes in question have been before the Presbytery, and that all matters appertaining thereto adjudicated upon, and no question raised requiring the minutes on their merits, the case is closed so far as the Presbytery is concerned. The question at issue can only mean who has the right to hold the minutes? If the Presbytery claim the right to hold possession of the minutes in question, why does it not claim the right to possession of all the minutes of Session? The Session says that the minutes, being the property of the Session, must remain the property until properly required by the higher court. The Session, in so acting, is not disobeying an order of Presbytery, but the Session cannot release its own legitimate right to hold the minutes in their possession until the higher court of the Church decides or orders otherwise."

At a meeting of Presbytery, held in Sherbrooke, March 1st, 1909, "the Clerk, being asked if the Session of Lingwick had forwarded the documents which the Presbytery at their preceding meeting had ordered them to send, replied that he had not yet received any of said documents nor any communication concerning them. Mr. McQueen, at this stage, tabled an extract minute of the proceedings of the Session of Lingwick, which, on being read, was, in substance, another refusal to obey the Presbytery in the matter, and setting up of the claim that the Presbytery had no jurisdiction in the matter. Much time was consumed in considering this attitude of the Session of Lingwick and in endeavoring to ascertain whether or not the elders were overriding the Moderator in withholding documents he had promised to send to the Presbytery. The Presbytery not all accepting the construction put upon this matter by the Session of Lingwick, it was moved by Mr. H. C. Sutherland, seconded by Mr. P. D. Muir, and agreed to, "That a Commission of Presbytery be appointed, the same to consist of the Moderator of Presbytery, the Clerk, Mr. W. C. Clark, and Mr. H. C. Sutherland, to interview the Session of Lingwick at such a time, in such a place, and in such a manner as they think best, in order to bring about the said Session's obedience to the order of the Presbytery in the matter of the documents in question; and in case of failure, to cite them to appear before Presbytery at such a time and place as the Commission may determine; and that the Session Record of Lingwick be sent to the Moderator of Presbytery within ten days."

It should be noted that the Session of Lingwick never set up the claim that the Presbytery has no jurisdiction in the matter. The Presbytery can order Session to produce the minutes, the Presbytery can review the minutes, and the Presbytery has the power of supervision, but the Presbytery has not the right to possession of the minutes. When the question was brought up at the Presbytery in March, 1907, it did not come before the Session; it was raised suddenly and unexpectedly. At the time I saw no objection to the motion of Rev. Jas. A. McFarlane. I am not, however, the Session of Lingwick, and I have no power to override the judgment of members of Session. The Session claim the right under the constitution to possession of minutes and all documents coming before the Session and appertaining to the Session. This claim the Session put forward with no uncertain sound. Why should the Presbytery spend time in endeavoring to ascertain if the elders were over-

riding the Moderator in withholding these documents? I was asked the question as to whether I told the Session of my own individual action in the matter, and stated frankly that I did. Why spend further time upon the matter? I have no power over these minutes but that which the Session confers upon me. If the highest court of the Church decides that the Session's position is untenable, that decides the matter. Why then does the Presbytery not refer the matter to the higher court?

#### **Petition to Synod and Presbytery's Action thereon.**

At this said meeting of Presbytery, the Presbytery minute says, "Mr. E. McQueen laid on the table a petition addressed to the Very Rev. the Synod of Montreal and Ottawa, and requested the Presbytery to transmit the same. The petition having been read, it was moved by Mr. W. C. Clark, seconded by Mr. H. C. Sutherland, and agreed to, 'that the petition be transmitted to the Synod.' Messrs. J. A. McFarlane, J. R. McLeod, W. C. Clark, and H. C. Sutherland were appointed to represent and defend the Presbytery in connection with the petition."

The Session of Lingwick met March 7th, 1910. It was agreed to transmit minutes of Session, including minutes "in retentis," to the Chairman of the Commission, Rev. J. McFarlane. The last minute of Session made it clearly understood that the Session forwarded minutes "in retentis" in order that the Commission might be in full possession of all the proceedings of the Session. The Session, however, does not rescind from its claim to possession of the minutes "in retentis." By forwarding the complete minutes, however, the Commission would be better prepared for to interview the Session. The Session allowed the Commission twenty days, a sufficient time, in view of the demand made to send them within ten days, to review the records.

#### **"Whom the Gods Destroy They first make Mad." Blocking the Way to Synod.**

The Chairman of the Commission saw fit to send me a document, dated April 21st, 1910, of which the following are extracts:

"Dear Mr. McQueen.

" . . . I find, in looking over your Session records, that you have represented to your Session that it was the minutes 'in retentis,' held by your Session, that we were asking for. These, you are aware, should have been destroyed when the agreement was reached three years ago. . . . That you have . . . to keep both your minutes 'in retentis,' in defiance of the laws of the Church, and the other papers and documents which you promised . . . us, and have been twice ordered by the Presbytery to do so, is . . . evidence that you are presuming tremendously on the extreme amiability, or worse, of the Presbytery. . . . We wanted your Session records only for review. Your minutes 'in retentis' should have been destroyed. Your other papers and documents you are still holding back. I shall write my co-Commissioners at once, and we will meet as soon as possible, but your action makes it imperative that I should call a meeting of Presbytery also. . . .

"Yours faithfully,

"J. A. McFARLANE."

(Exhibit 28.)

#### **A "pro re nata" Meeting of Presbytery.**

The following circular letter was issued:

"Three Rivers, April 9th, 1910.

"Dear Sir,

"A 'pro re nata' meeting of the Presbytery of Quebec will be held in the Church at Sherbrooke, on Tuesday, the 19th inst., at 3 p.m.

"Business: (1) To consider calls from (a) Lake Megantic, (b) Hampden congregations. (2) To deal with the report of Commission of Presbytery appointed at recent meeting of Presbytery.

"By order of Moderator,

"J. R. McLEOD, Clerk."

(Exhibit 29.)

I have received also the following document:

"Three Rivers, 11th April, 1910.

"Mr. E. McQueen,

"Moderator and Clerk of Session of Lingwick.

"Dear Sir,

"The Presbytery of Quebec, at their recent meeting in Sherbrooke, appointed a Commission of Presbytery to interview the elders of the Session of Lingwick in the matter of what may be called the A. G. McKay papers. I am directed by the said Commission to inform the Session that, in view of the information secured by them from an examination of the Kirk Session Record of Lingwick, the Commission will not at present proceed to interview the elders, but have decided to report the situation as it now stands to Presbytery, which is called to meet in the Church at Sherbrooke on the 19th inst., at 3 p.m., to deal with the report of the Commission, among other things. As the report of the Commission may possibly lead the Presbytery to a reconsideration of their decision in the matter of the petition of the Session of Lingwick to the Very Rev. the Synod of Montreal and Ottawa, the Session may do well to take notice of the above information.

"J. R. McLEOD,

"Clerk of Commission.

(Exhibit 30.)

"For the Session of Lingwick."

#### Protest.

"To the Rev. the Presbytery of Quebec.

"Rev. J. R. McLeod, Clerk.

"Dear Sir,

"I have received your circular letter calling for a 'pro re nata' meeting of Presbytery on the 19th inst., and have received, some time previous thereto, extract minute of last regular meeting of Presbytery bearing upon Lingwick matters. I have also received this day your communication addressed to the Kirk Session of Lingwick. This latter communication appears to me to be a very irregular and unconstitutional procedure on the part of the Commission of Presbytery appointed to deal, as you say, with documents in the Angus G. McKay case, or, more correctly, to interview the Kirk Session of Lingwick for claiming its legitimate rights, under the constitution, to hold possession of these documents until properly required by the higher court.

"The proper function of the Commission is, to all appearance, departed from, and instead of reporting on the business for which they were appointed, they are to bring in a report outside of their commission, the said report to be entertained at 'pro re nata' meeting of Presbytery. If the said Commission have made discoveries in the Kirk Session minutes of Lingwick requiring Presbyterian action, it is clear that their duty is to report the same to a meeting of Presbytery regularly understood. Our constitution has made ample provision for the correction of all errors and disorders. There is no occasion for the spirit of faction, as if Providence will never give us another opportunity for determining the power of the Presbytery. That such an issue, outside of the proper function of the Commission, should be raised to a 'pro re nata' meeting of Presbytery in order to reconsider a decision of a regular meeting of

Presbytery, in the matter of a petition by the Kirk Session of Lingwick to the Very Rev. the Synod of Montreal and Ottawa, is not only to do violence to the constitution, but to assume the power and prerogatives of a superior court, which alone can alter or reverse a record or judgment solemnly come to.

"The Presbytery has at a regular meeting appointed certain of its members to defend the Presbytery in connection with the petition. If the defenders thus appointed are in a position to defend the Presbytery before the Very Rev. the Synod of Montreal and Ottawa, why do they shelter themselves under the plea that they have made certain discoveries in the minutes of the Kirk Session of Lingwick which call for reconsideration in the matter of transmitting the petition? Do the defenders, in view of these discoveries, shrink from meeting the Session at the bar of the Synod? If they have made discoveries which reflect on the conduct of the Session, that should be in their favor. Moreover, the minutes of Session have been in the possession of the Commission since the 9th day of March, and they are not yet returned to the Session. At this late date, within four days of the meeting of Presbytery, the Commission of Presbytery expects the Kirk Session of Lingwick, whose members live some eight miles apart, to convene and deliberate on the report of a Commission of Presbytery for the 19th inst. Apart from the consideration that two of the elders are confined to their homes on account of sickness, there are other considerations vital to this community which directly interfere with the holding of a meeting of Session in time to resist this encroachment upon their legitimate rights. For the foregoing and other reasons, I hereby protest against action of Commission of Presbytery in departing from their proper appointed duties. I also enter protest against the entertainment of a proposition which would deprive the Kirk Session of Lingwick from its just rights, under the constitution, to petition the higher court on matters affecting injuries sustained by the specified unconstitutional proceedings on the part of the Presbytery.

"I request, therefore, this letter and protest be read jointly with the report of the Commission, and that it form part of the minutes of proceedings.

"Respectfully submitted,

"E. McQUEEN.

"Presbyter.

"At Gould, April 15th, 1910."

#### Getting Deeper into the Mire.

"A 'pro re nata' meeting of Presbytery was held at Sherbrooke on April 19th, 1910. 'Inter alia,' Mr. W. C. Clark submitted an interim report from the Commission. This report set forth, in substance, that the Commission found, on examination of the Session records of Lingwick and minutes 'in retentis,' that acts, decisions, and requests of Presbytery have not been correctly represented to the Session, but rather misrepresented, and, on the other hand, that the condition of matters at Lingwick have been misrepresented to the Presbytery. The report was received. . . . Mr. W. C. Clark then gave notice that he would, at the next sederunt, move the reconsideration of the decision of Presbytery in March last in the matter of forwarding to the Very Rev. the Synod of Montreal and Ottawa the petition of the Session of Lingwick and the appeal of Mr. McQueen. . . . The Presbytery met after adjournment, and the motion for reconsideration was agreed to unanimously. . . . It was then moved by Mr. J. C. Nicholson, seconded by Mr. Jas. Hastie, and unanimously agreed to, that the Presbytery, having had laid before them the results of the examination of the Session record of Lingwick, which record was placed in their hands by order of Presbytery, and having considered the same carefully, considers it unjust to the Synod to forward



the said petition and appeal, which, from the examination of the Session Record of Lingwick, are shown to be based upon misrepresentations of the acts, decisions, and requests of the Presbytery in matters pertaining to the Lingwick congregation. Therefore the Presbytery rescinds the former decision, and declines to transmit to the Synod the said petition and appeal." (Exhibit 31.)

#### Fallacies of Foregoing.

According to Rules of Procedure, Section 90, "No business, other than specified in the circular letter, can be taken up at a 'pro re nata' meeting of Presbytery." The business, as set forth in the circular letter, was to deal with a report of a Commission to review Session records of Lingwick. That review, according to Mr. Clark, brought out misrepresentations of acts and decisions of Presbytery in matters appertaining to Lingwick congregation. Why then does the Presbytery not deal with the Session of Lingwick and the Moderator for these alleged misrepresentations? The petition of the Kirk Session of Lingwick to the Very Rev. the Synod of Montreal and Ottawa requests "(1) To consider certain specified acts of Presbytery as inconsistent with the constitution," and "(2) To inquire diligently as to whether the Presbytery of Quebec, or any member thereof, have created, countenanced, or aided a schism in the congregation, and, if so, that the matter be brought before the Venerable the General Assembly without delay." These are matters clearly defined, the ascertainment of the truth of which is not confined to the Session records of Lingwick. The Presbytery's own records and rules of procedure furnish sufficient testimony, and that entirely apart from the Session records of Lingwick. The petition of the Kirk Session of Lingwick was thus a matter outside the function of a "pro re nata" meeting of Presbytery, and found no place on the circular letter calling the meeting. This is another instance of the many irregularities chargeable to the Presbytery.

Again, the appeal raised by me to the Very Rev. the Synod of Montreal and Ottawa was a matter entirely outside the Session records of Lingwick. That appeal, according to the Presbytery's own record, is based upon the irregularities and incorrections of Presbytery's own minutes.

"(d) That protest and appeal to the Synod of Montreal and Ottawa is against the action of Presbytery in sustaining the portion of minutes—pages 69 and 70—in support of which appeal reasons were forwarded within the specified time. That the Presbytery, at a regular meeting, appointed a Committee to answer Presbytery, at a regular meeting, appointed a Committee to answer reasons and defend the Presbytery before the Synod. That, having made an honest effort to do so and finding defence impossible, they have taken shelter under the allegation that the Kirk Session of Lingwick misrepresented acts, decisions, and requests of Presbytery, and, in so saying, completely ignored the ordinary rules of justice recognized by every civilized country the world over."

"(5) That in denying access to the higher courts of the Church in the only manner prescribed under the constitution, the Presbytery 'pro re nata' no longer represents the Presbyterian Church of Canada, and that its acts, resolutions, and proceedings may not only be lawfully quashed, but be termed null and void. That the Moderator and Kirk Session of Lingwick, having brought these specified irregularities of the Presbytery of Quebec before a higher court as provided by the constitution of this Church, they have discharged their duty in the matter of their own solemn compact to observe the constitution. That the matter complained of having come to the knowledge of the higher court, it is for them to ascertain the truth of these things and to discharge their

responsibilities under the constitution, which alone forms the bond of union in the Presbyterian Church.

"(2) The Kirk Session of Lingwick hereby declares and affirms that every act, decision, and request of Presbytery were not only made fully known to them, but received their due consideration from this court.

"(3) The Kirk Session of Lingwick hereby declares and affirms that not to their knowledge have they misrepresented the condition of matters at Lingwick to the Presbytery. The allegation of Rev. Mr. Clarke and others to the contrary is an assertion requiring proof. That the Rev. Mr. Clarke and others having never visited this congregation, cannot be in a position to know the affairs of this congregation.

"(h) The Presbytery of Quebec, at a regular meeting held at Sherbrooke, March, 1910, ordered the said petition to be transmitted to the Synod. The said petition being found in proper form and expressed in respectful language, it is not for the Presbytery to deal with the petition on any other ground. The Presbytery, at its "pro re nata" meeting, dealt with the petition on its merits, and in doing so arrogated to themselves the functions and powers of the higher court.

"(c) That the said petition is not based upon misrepresentation of acts, decisions, and requests of Presbytery, but is based upon the violation of the constitution of the Church on the part of the Presbytery in certain specified particulars, and that every transgression so specified may be proved from the Presbytery's own record of proceedings. That it appertains not to the Presbytery, but to the Very Rev. the Synod of Montreal and Ottawa to say whether or not the Kirk Session of Lingwick has misrepresented the acts, decisions, and requests of Presbytery.

"The Moderator and Kirk Session of Lingwick further solemnly declare that the charges of misrepresentation of acts, decisions, and requests of Presbytery to the Session, and the further charge of misrepresentation of the condition of affairs of Lingwick to the Presbytery, is to slander the moderator and Session. That the Moderator and Session of Lingwick demand formal trial of said charges in the manner provided by the constitution."

(Exhibit 32.)

#### Grave Matters at Issue.

There are grave matters at issue, matters more weighty than the Presbytery's hunt after a flea in the matter of an apology, matters more serious than charges of alleged misrepresentations, while cowardly shrinking from action thereon according to the constitution, matters more definite and specified than imaginary conceptions, to maintain which we are still on the hunt for the facts; matters to decide, whether conspiracies or the constitution shall govern in the pastoral relation; whether those who conform to the contract in the call or those who undergo no responsibility shall govern in the congregation at Lingwick; whether those who make lies their refuge, and whose proceedings all through are characterized by false appearances (the first and last form of antichrist), or the truth prevail; whether or not the pastoral relation at Lingwick has been plotted against by a clergyman then in Montreal and other parties outside the congregation of Lingwick; whether certain members of the Presbytery of Quebec, knowing these things, connived in a dastardly outrage on the congregation and community of Lingwick; whether a division has been created and the parties responsible for it; whether the Session of Lingwick shall govern its own members, consistent with the constitution; and whether the constitution of the Church is to be adhered to in the matter of transmitting petition to the higher court; and whether, on ascertaining that the irregularities specified on the part of the Presbytery, they be allowed to continue in their irregular courses or to take shelter under a plea that they have acted in good faith,

while doing an injury to a pastor, and to a Session, and to a congregation, ignoring the ordinary rules of justice recognized by every civilized country in dividing a congregation in so light a manner as to loosen the spirit of Christ which makes for union, and to separate without adequate cause that bond of love whereby Christ has bound His people as one. The pastoral relation is founded on the feeling of one party to the other in the Lord. It is a worthy and holy relationship, the very blossom of the Church. No church court deserves to exist which does not prize as its highest and most glorious duty the cherishing of this relationship to the whole extent of its power. As we are forbidden on the one hand to overrule the conscience of a Christian flock by an enforced appointment of a pastor, so on the other hand are we warned that in no case is a Presbytery to countenance measures tending to sacrifice a minister to the unreasonable feelings of his Session or of a party in his congregation.

In the Presbytery of Quebec it would appear that we have a party who are ready to countenance conspirators outside of the congregation whose aim is to overthrow by violent means the pastoral relation, a party who are enraged when challenged, a party with such inflated notions of their powers and immunity from criticism and from the law itself, that they must be coddled, and toadied, and cringed to, and when the law interferes, their absurdities and madness are revealed, and, when challenged with the principles of constitutional government, make fools of themselves.

