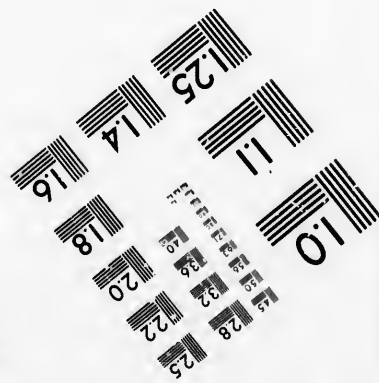
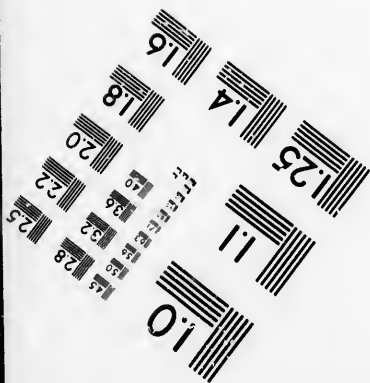
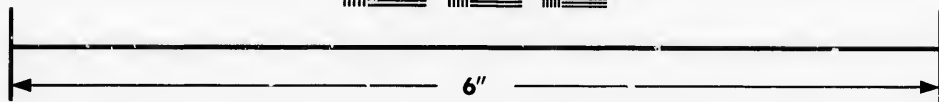
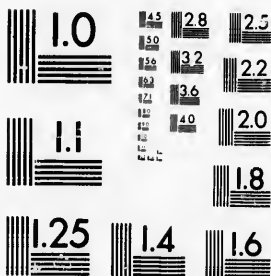


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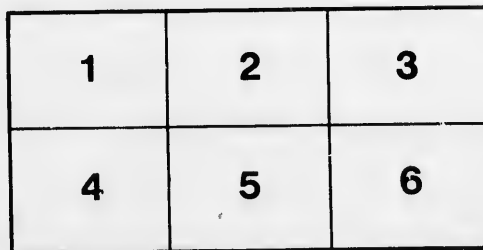
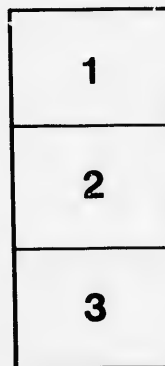
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1856

SUBSTANCE
OF
SPEECHES AND ADDRESSES

AT

The Presbyterian Visitation

OF

NOX'S CHURCH, TORONTO.

BY ROBERT BURNS, D.D.

TORONTO, C. W.
PRINTED BY MACLEAR, THOMAS & Co, 16, KING STREET EAST.
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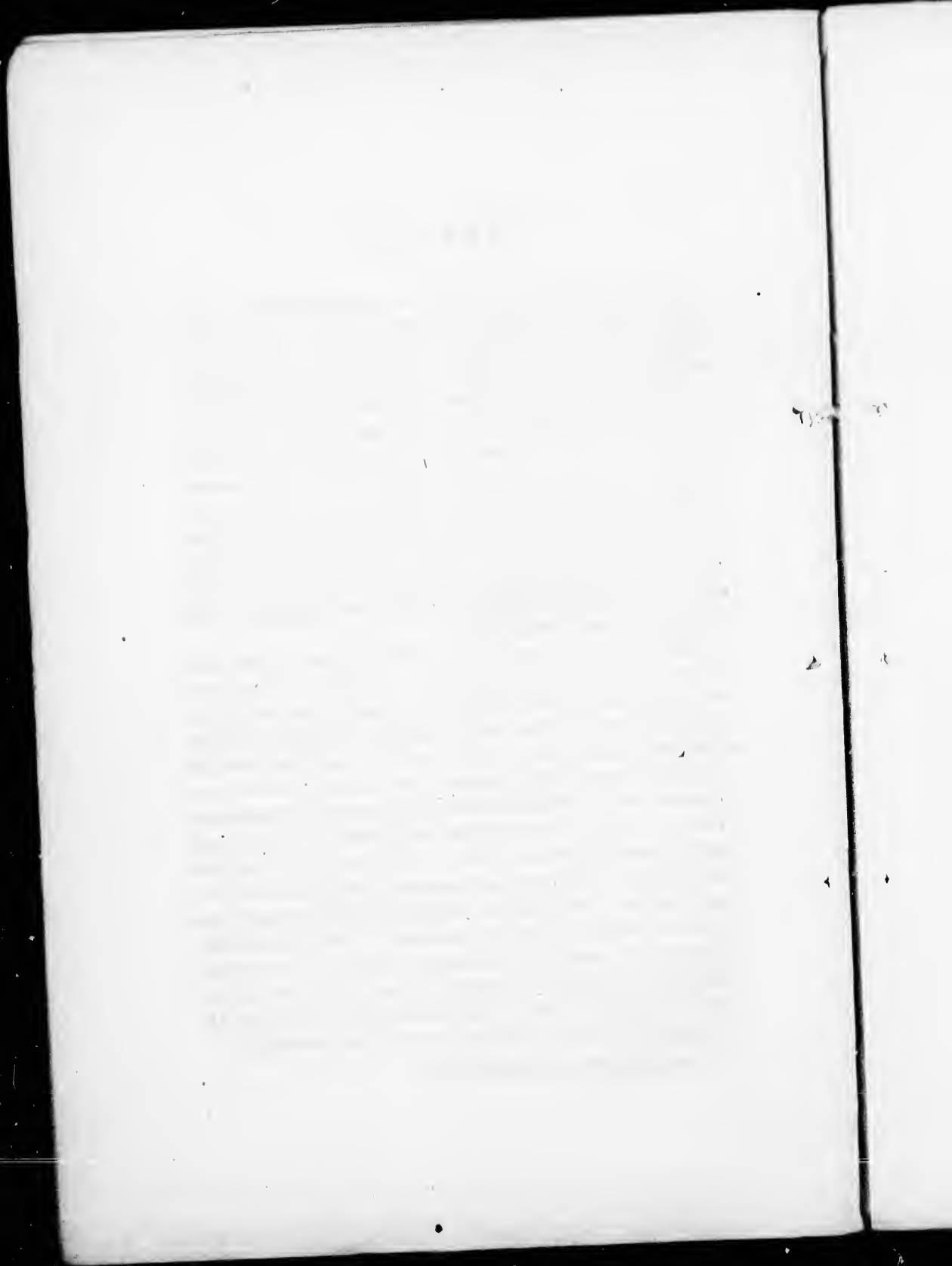
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PREFACE.

In this pamphlet I have tried to combine together in the speech form, the leading facts adduced by me at the late Visitation by the Presbytery of the bounds. There were properly *four* distinct addresses made by me, over and above my undergoing a most lengthened examination. When the business of the Presbytery was in some sense over (I mean as to the taking of evidence), an appeal was made to the congregation, to the effect of affording an opportunity to any member to appear either on the side of the Pastor or of the Memorialists. On this, Mr. W. M. Gorrie, formerly one of the Trustees of Knox's Church, and still a seat-holder, came forward, and impugned my character and conduct on four separate grounds. These are distinctly noted in the latter part of this paper, and my replies given in substance.

After the evidence was led, the Court consulted with shut doors; and thereafter a deliverance was publicly announced as having been unanimously agreed to. This took me by surprise, as it had been intimated on the evening of Tuesday, that the Presbytery would, after conference by themselves, meet for "public business" at eight o'clock in the evening. There was *no business done*. The written evidence was not even read, and when I rose to reply, I was not permitted to speak one word; and neither were the Protesters from the Congregation. Against this singular treatment we have appealed; and the whole matter now remains by reference and appeal for adjudication by the Synod at London, C. W., in June next. I have incorporated in this paper most of the statements I intended to have made, had liberty to plead been granted. I only add, that had the *Globe* done me the justice it did to the opposite party and the Presbytery, this publication might have been superseded.

Toronto, C. W., 18th Dec., 1855.



PRESBYTERIAL VISITATION

OF

KNOX'S CHURCH,

Held from the Fifth to the Twenty-Fifth of December, 1855.

THE REV. JOHN MACTAVISH, MODERATOR.

I have already entered my Appeal against having been put as an accused party at the bar. I have also appealed against the application to such a meeting as the present of the rules and regulations of 1706, designed for ordinary and not special Presbyterial Visitations, and which never received the sanction either of the General Assembly or of the Church. I complain of it as a perversion of ecclesiastical law, that charges against a minister should have originated in his own Session, and that they should be contained in an act of resignation of their office, by the majority of office-bearers, who, instantly retiring, left the Moderator alone, thus annihilating the Session. Farther, I complain that the Presbytery, in place of naming Assessors to me, in order that the matter of resignation might be orderly adjudicated on, grasped the matter themselves, in the shape of unfinished jottings of the Session Minutes, and turned my application for Presbyterial interference into a line of procedure never contemplated by me, and altogether foreign from the design I had in view. Forty-six years have I laboured in the ministry, and many Church Acts of an extraordinary kind have I seen, but never in the palmiest days of Moderate ascendancy, did I see the most obnoxious man of the Evangelical party put unceremoniously, and on his own shewing, to the bar; deprived of his judicial status during lengthened sederunts; and without any previous notice of it, called to explain over a field of ten years, every circumstance which malignity and prejudice might take hold of to tease and to blacken him.

It was my application to the Presbytery that brought them

to Knox's Church. In the circumstances, I adopted the course which our constitutional law has pointed out. When the legal number for a Session does not exist, the Moderator is required to bring the matter in the way of information before the Presbytery, that they may adopt one or other of two courses: Either they at once name Assessors to act with the Minister in order to form a Session; or they take the matter into their own hands, and meet with the congregation and the Minister, that measures may be adopted to fill up the vacancy. This last was adopted, and I think wisely; for the circumstances which led to the production of the vacancy were not of the ordinary kind, and plainly demanded Presbyterian enquiry. Within this limit, however, was the matter confined, and all beyond, is a gratuitous invasion of constitutional rights.

Our Session met on the 23d October to hear objections, if any, to the ordination of two elders. Nine protests had been handed in, signed by a very large proportion of communicants on the roll. These had been read; observations in the way of reply had been made on them by the Elders elect; and the Court was about to judge of the whole matter, when, to my utter amazement, Messrs. McMurrich and Shaw read a long and carefully studied narrative of Sessional, Presbyterian and Synodical proceedings; and on these, associated with *their* views of the Moderator's conduct, based reasons for their deed of resignation. In strong language they give it as a matter of opinion and of feeling that they had "ceased to have confidence in the prudence, sincerity, or honesty of purpose" of their Pastor and Moderator. To this they give the name of an *opinion*, not a *charge*—a groundless distinction. It *involves* a charge, and a charge of grave magnitude, which ought to be well sustained. And how is it borne out? By the strange averment that I had called myself Minister of Canada; and by the fact that I had gone on a mission to Nova Scotia and New Brunswick.

It may have been wrong in the Church to appoint me to such multiplicity of labours as awaited me in Canada, and it may have been presumptuous in me to undertake them. But certain it is, that such was the arrangement made, and I am not conscious of having violated or overdone it. Among many documents to which an appeal may be made, I select the following. The "Reasons of Translation" given in by the Colonial Committee of the Free Church of Scotland in January, 1845, to the Presbytery of Paisley are these:—

REASONS

*For the Translation of the REV. DR. BURNS, Paisley, to Toronto,
Canada West.*

FOR THE COLONIAL COMMITTEE OF THE FREE CHURCH OF SCOTLAND.

I. The vast extent and resources of Canada, the amazing rapidity with which its population is increasing, and generally its rising importance, point out the propriety of its being supplied with the services of ministers of zeal, ability, and piety.

II. The peculiar circumstances in which the brethren of the Presbyterian Church of Canada have been placed in consequence of the Disruption, render it exceedingly desirable that they should enjoy the presence of a minister of experience from Scotland—more especially one who is fully acquainted with the systems which have been pursued in this country for organizing congregations and for the sustentation of the ministry.

III. While the call to Toronto attests the strength of the Presbyterian interest in that city, both as regards numbers and wealth, this call must be viewed as connected with the nomination which Dr. Burns has received to the Chair of Theology at Toronto; and while the duties of both offices must be discharged, for a time at least, by the same individual, the learning, ability, readiness, and untiring energy of Dr. Burns point him out as possessing, in an eminent degree, the rare qualifications which are necessary for so arduous a service.

IV. The reception which Dr. Burns has already met with in Canada, indicates the cordiality with which he will be welcomed, and affords the most pleasing prospects of the success which would attend him in that great and rising country.

For the Colonial Committee,

J. A. BALFOUR, JUNR.,

Secretary.

Edinburgh, 13th January, 1845.

The Chairman of the Congregational Meeting of Knox's Church, which sent me the call, was Mr. Isaac Buchanan, now of Hamilton, and a tried friend of the Church in many ways, and in two of his letters, of date 24th and 26th July, 1844, the following passages occur:—

“It is impossible for me to express the deep feeling of anxiety entertained by every member of the congregation, that you may come among us, having in view not only their own edification and eternal interests, but looking to it as vitally important to the interests of the infant Church, that we secure the advantage of the great knowledge and experience which you possess, especially at her outset.”

In the second letter, two days after, he says: “Your coming out, were it only for eighteen months or two years, would be even more valuable, as affording the infant Church here, and through it, the parent Church, as the Free Church may be

called, than could be as looking merely to your labours in Toronto."

Messrs. Peter and George Brown, of this city, were main agents in conducting the correspondence, with the view of obtaining my services, and from the numerous interesting letters of the former, I select three specimens of earnest appeal, of dates July 12th, September 13th, and October 28th, 1844, and from some of these it may be noticed that Mr. Brown was fully aware of the *kind of person* whom he was inviting into the Colony:—

"What are we to do? The Lord can raise up labourers in his vineyard, and relieve us from our sad difficulty and distress. But is his hand not pointed to the Free Church in Scotland, and does his voice not say, 'Help your brethren in Canada, and help them immediately.' Dear Doctor, by your love to the glorious cause in which you are engaged, by your regard for the souls of men perishing for lack of knowledge, although professedly hearing Presbyterian ministers, send us help. *Come* yourself; you know our wants; you know our localities. Our infant Church must take up high and holy ground. It is only from that eminence that we can fight the Lord's battles."

"We earnestly hope that you will come to open Knox's Church, and not be later than the twelvemonth. *None* will do but you; for the people have all made up their minds about it. But there are many reasons. We want your weight and experience to keep even the Free Church ministers right. They have threatened another Temporalities Bill, and *you could look them all* into their proper places. The people want no Act of Parliament to regulate their affairs, but such an arrangement as the Free Church has. We had prepared to make an addition to Mr. Harris's small Church, which I wrote you had been passed over to the Free Church congregation, with a large piece of ground for a site for Knox's Church. The addition was intended to last till the new Church was finished," &c.

"You were unanimously appointed Professor of Divinity, but with the understanding that the union of offices would be temporary, and that the Divinity Professorship would be more permanently arranged, when the Synod had ascertained the footing on which they could place their establishment, and the means of its support. There was an attempt by three or four of the ministers to put off the appointment, but your friends

and the friends of Canada insisted on the appointment being made. The future arrangement was conceded to please those who were thwarted in their opposition. The truth is, dear Doctor, some of them are terribly afraid of you. They dread your straightforward and independent course; but that will operate as the strongest reason for your coming to deliver us from their small ways.—Regarding the Church, as we could not get up Knox's Church before the winter sets in, we are making the temporary addition to Mr. Harris's Church, which I wrote you about. It will be opened in a few weeks, and is to cost £375 currency. It will hold, with the old Church, about 1000 people. We shall start with the new one in the Spring."

From some expressions in these letters, it is evident that a new and commodious church, to be reared in the city, was a preliminary element in the arrangement; and I looked, on my arrival in the end of May, for the rising walls of Knox's Church. I looked in vain; and on requesting a meeting of elders and managers, held in Mr. McGlashan's house about three months after, was told that no definite promise of the kind had been given; and assuredly for nearly two years nothing was done. My discouragement preyed so much upon me, that when, in March, 1847, I thought of a visit to Nova Scotia, to help the churches there and in New Brunswick, in their sad destitution, it occurred to me that possibly my engagement, which was for three years only, might be closed at the end of two, and that my services might be transferred to another colonial field, where they might be relished more. In May following, my son, now at St. Catherines, was licensed, and with the not unnatural feelings of a parent, I entrusted my pulpit and my charge to him for two months, afterwards extended to three, and there were in the city, besides him, four clergymen of our Church, Messrs. Esson, Gale, Harris, and Wightman. On this occasion, besides an affectionate address and present of books to Mrs. Burns, from her senior Bible class, the following important document, signed by some hundreds of sitters and members in the Church, was put into my hands, and the impression it made was in fine contrast with the cold apathy which seemed to me (I may be wrong) to characterize other parties:—

TO THE REV. ROBERT BURNS, D.D.

May, 1847.

The Memorial of the undersigned Members and Adherents of Knox's Congregation, respectfully sheweth—

That we have with the deepest regret heard mooted the question of your leaving the Congregation for some other sphere of usefulness.

Under a strong conviction that that event, were it now to take place, would seriously impair the present prosperous condition of the congregation, if not, indeed, as it is to be apprehended, wholly endanger its existence, we are most anxious to avail ourselves of every means within our power, to induce you to relinquish, if you should have formed any intention of leaving us. So much of what is favourable in our present position, both in the congregation and in the Church to which we belong, is attributable to your ability and untiring energy, that the apprehension of losing the advantage of these qualities at the present time is alarming. We cannot doubt that, to an unbiassed judgment fairly considering the whole case, it will manifestly appear that your translation from among us would be attended with consequences disastrous to our ecclesiastical and congregational interests.

We therefore desire to express our earnest hope that a serious consideration of the welfare of the congregation will impress upon your mind the conviction that it is your highest duty to continue to devote your eminent talents to the labours of your present charge; and we fervently pray that, by the blessing of the Almighty, you may be long spared to spend a happy life among us as our most highly esteemed Pastor.

In the course of my three months' absence from Toronto, I visited the States, and collected and purchased a thousand volumes for the College Library of Halifax; supplied Halifax, Pictou, Prince Edward's Island, and the city of St. John, New Brunswick, with preaching on Sabbaths and week-days, to a greater or less extent; visited nearly all the families of the Free Church in the two cities of both Provinces; obtained a subscription of £1000 for the erection of Chalmers' Church in Halifax; opened the Mechanics' Institute as a temporary place of worship in St. John, N.B., and organized the nucleus of the Free Church congregation there. All this, with kindred labours of a similar kind before and since, I looked on and still look on as a donation, if not in money at least in work (which is the same thing) from the Christian members of Knox's Church, Toronto, to their more destitute fellow-members of the body of Christ. Two years after, I made a shorter visit to Nova Scotia, and opened the new Church in Halifax, then under the ministry of my esteemed co-pastor once in Paisley, Mr. Forrester, now the Chief Superintendent of Education for Nova Scotia.

While I was in Halifax, in 1847, the temporary erection called Knox's Church, in this city, was burnt to the ground, and the insurance of £400 upon it became the first and highest subscription to the new erection. Had this event not taken place, my people and I might have been worshipping in the brick and wooden erection to this day. As it was, I listened to the voice

of Providence in it; finished my engagements in the Lower Provinces; and was home by August 1st. The foundations of the new Church were in the course of being digged, and the stately fabric in which we now are, was opened just twelve months after. It may be proper to add, that on my arrival, my ecclesiastical superiors, the members of the Presbytery, with a zeal for order, perhaps commendable in itself, but somewhat bizarre in its movements, first took from me, by request, a full account of my labours in the Lower Provinces, and for which I had their thanks; and exactly two months after, called me to account for going away. With the help of my friends, Mr. Harris and Mr. Donald Elder, I succeeded in pacifying them, and got off with rather a slight censure. I had not formally asked their permission. The worthy Clerk, my esteemed friend, Mr. Rintoul, advised me to go down to see how matters were after the removal of Mr. Robb to Hamilton, and then write up for leave of absence for such a period as might be required. I did so; but my letter and request had, by a mere lapse of memory, lain in the pocket of my worthy friend safe and sure till my return. I called it from its requiem, and it became an element in modifying the censure. That holy man is now removed far above the sphere of those missions which he cherished; but his spirit had nothing in harmony with the movements of a calculating and contracted heartlessness.

My visit to Quebec, in 1852, was expressly required by the Home Mission Committee of the Church—a power above a Presbytery. Toronto was absolutely teeming with ministers; and yet my congregation began to murmur; and the Presbytery kindly sympathised with them in this, granting at the same time a modicum of supply. I “cast up” towards Christmas, having in the meantime sent up a pastoral address to my people, pleading pity for the destitution of the ancient capital of Canada, and for various districts in the Eastern Townships, which I sought to visit.

My having been one of the candidates for the Chair of History in the University has been referred to as proof of a want of honesty, inasmuch as it seems to indicate want of interest in my congregation. Mr. Esson and I, unknown to one another, offered ourselves for the same Chair. We had fought side by side for the christianizing of the University in its patronage and actings, and we had succeeded only in part. In the circumstances we felt a desire (certainly laudable), that into one or more of the departments of general literature a Christian

influence might be thrown ; and in a rising country like this we viewed the historical chair as one of the stations from which a most powerful influence might be brought to bear on the forming mind of Canada. We conducted our canvass together with perfect good feeling, often comparing notes ; and resolving to be fellow-helpers in the common cause of God and our country, on whomsoever the choice might fall. My loved and respected friend was chosen by the Senate, but the choice was not confirmed by the Government ; and meanwhile the Great disposer called him to a higher preferment above. The gentleman who was eventually chosen, Dr. Wilson, is a man of European reputation. We have him often as a hearer in Knox's Church, and I don't think he will cordially sympathize with the memorialists in wishing my removal. And as for myself, I never felt ashamed, nor do I now, of my position in the canvass for the chair ; for whatever the Senate might do, the Caput assigned me a place far a-head of many leading scholars of Oxford, Cambridge and Dublin ; and far beyond what an old stager so long off the irons had any reason to expect. And did I contemn my people ? I think not. It was never my intention to *hold a plurality* ; but to remain a humble member or office-bearer in the congregation. I could have done my successor in office and them much service ; besides carrying out my missionary desires for the Province at large ; to say nothing of the close connexion between the literature of the church which I had for four sessions taught in Knox's College, and the literature of history at large, which I would have been called to teach in University College.

Mr. McMurrich has adduced as a proof of dishonesty my charging Mr. Campbell or himself with having a certain paper in their possession, which I found to be in my own, and which I gave to him (Mr. M.) without an apology. The facts are these. The paper was Mr. Campbell's defence, my reply to which was retained by me, and therefore I naturally thought that Mr. C. would retain his own paper ; and failing this, that it would be in the hands of Mr. McMurrich, who acted as clerk to the meeting. I may have affirmed the thing with over pertinacity ; but as an evidence of dishonest intention, the proof is at fault. A man of dishonest intentions would have concealed the fact of his having found the paper among his own chattels ; yea, possibly, might have put it into the

fire, and no discovery might have been made. What did I do? I hastened from the meeting as fast as I could—rummaged through a drawer of old papers—found the one in question—instantly ran back to Mr. McMurrich's place of business; found he had gone in search of it to the session house; told the whole matter to his young partner, Mr. Samuel Gunn—was advised by him to keep my mind quite easy as Mr. M. would be back in a few minutes, and he would hand the paper to him with a suitable explanation. All this passed in about a quarter of an hour from the time Mr. M. and I had parted, and next day I repeated the substance of it to that gentleman. I had thought he had been satisfied that I had no improper feeling in the matter, far less "a dishonest intention."

Another proof of my "insincerity" is thought to lie in my seeking to raise the nominees to the Eldership from fifteen to twenty, that my own wishes as to the men to be chosen might, forsooth, be gratified. It is peculiarly unfortunate for this argument that, by reference to the attested minutes of Session successively before the Presbytery and the Synod, it appears that the person who made this proposal is "Mr. James Shaw," who sympathizes with his brother Elder in the complaint of dishonesty! Unquestionably, however, it was at my suggestion he did so; and the language I used, so far as can be remembered, was, in substance, this,—addressed, too, not to the congregation, but to the brethren of the eldership near me,—“I don't think this list represents the piety of the congregation. You will not get out of it six men suitably qualified, or that are willing to accept.” It may have been improper in me to make the remark, perhaps, but assuredly there was no “dishonesty” in it. Mr. McMurrich did not, *at that time*, make any such use of it; for in the Session House, immediately at the close of the meeting, he said to Mr. Shaw and me: “We have had a very agreeable meeting; only, Doctor, I wish you had not made yon remark.” “Why,” said I, “I am better pleased now; we have got some very good men added, and we have now a better prospect.” Both Messrs. Pyper & Campbell were on the list of nominees. I did not say a word, good, bad, or indifferent about it then; but certainly had it ever entered my mind that the first of these persons would have been returned in election, I would have objected strongly to his being in nomination at all.

I solemnly deny that my conduct in regard to Messrs. Pyper

and Campbell has been in any proper sense "vexatious." That my opposition has been uniform, steady, and strong, is certain; but "vexatious" means "*wantonly malicious.*" Let it be observed—Mr. R. D. Macpherson still adheres to his averment as to the "walking ticket;" and Mr. Pyper will not agree with those who say that it was just a "thoughtless expression." He is the last man who will take *that* ground of defence. If he said it, he meant it; and his meaning was grave and solemn. Moreover, it indicated a knowledge of the parties who sought my ejection; and he is not the ninny to say that all he intended was just to give utterance to a "thoughtless expression." He continues to deny—Mr. R. D. Macpherson continues to affirm—the evidence stands; and I firmly and conscientiously believe that he said it; nay, more, I believe he will say it still—that is, in substance—for why otherwise does he wonder that I took offence at it? Why shew such hatred to me? and why give expression to that hatred in such papers as those read by him before the Session, the Presbytery, and the Synod? Had he the spirit of a Christian in him, and the manliness of a generous heart, he would be the *last* to take offence because I made his withdrawal or his ordination the turning point of my pastorate in Toronto; and he would have been the first to relieve me from the difficulty,—*the moment the Synod had cleared him.*

I am blamed for allowing objections to Mr. Pyper to be given in on two separate occasions. Who, pray, is to blame for this? It is the constitution and law of the Church, and these only, that are to blame for it; and yet there is no blame any where. When the congregations return their Elders elect to the Session, it is the duty of the Session to take immediate action. If *any one of the members* knows good reason why an edict in favour of such and such individuals should not be served, *he is criminal if he conceal it*; and what is binding on a member of the court, is, *a fortiori*, as binding on the Moderator. And when a member or the Moderator has noted his objection, and obtained from the Session an order for inquiry, does it *weaken* the objection to the Elder elect that *eleven* of the members in communion shall step forward voluntarily, and intimate that they have heard of the same objection, and that they concur in it? The investigation would have gone on independently of these eleven; but should the concurrence of these eleven have marred the proceedings in the case? And shall the circumstance of these eleven

giving in their objection *in limine* to any movement being taken at all in order to the ordination of the Elders, prevent the serving of the edict at a future period, and deprive the rest of the congregation of *their* power to appear against the same Elders elect, on other grounds? I can conceive a case in which it would supersede the edict; and that is, if the objection, brought by the Moderator and joined in by eleven "having interest," *was sustained* by the Courts; for if so, the record and the case would be closed.

Does it follow that because a preliminary objection has been disposed of by the Courts, *no other objections* may be competent on the serving of the edict? I am not very clear whether, if new evidence were forthcoming, the same objections which have been heard *in limine* and disposed of, may not again be renewed, the circumstances being changed. But at all events, I am clear that *other* objections may be brought forward by the same individuals, or by others. There is nothing "vexatious" in all this; and the man who is conscious of innocence in the first case, will rather *invite* than otherwise, a full investigation into the whole merits.

Were the objections *in limine* the same as those after the edict? They were not. My brethren think they know me better than I know myself, when they say that had it not been "the walking ticket," I would not have urged any other objection. How do they come to know this? It may be the "walking ticket" made me look more sharply after the man who held it up to me; and my friends in the congregation may not have been able to dismiss the thing from their minds; and the association of the "walking ticket," with the solemnities of holy fellowship and other occasions similar, cannot be edifying; but certain it is, the courts have nothing to do with the hidden regions of the heart. They have declined to look at these in any measure on the part of Messrs. Pyper and Campbell towards me; and I solicit the same indulgence for myself as regards *them*.

"Not on the merits"—substantially, I did tell my people, on a Thursday evening, that the Synod had adjudicated only on the objection *in limine*; and that by-and-bye, the edict would be formally served. And why should I have concealed this from my people? Did I anything more than merely state it? Did I breathe *one word* against the two gentlemen? Did I use any influence to move the people? On the con-

trary, did I not "knock on the head," as Mr. Mackay, one of the witnesses, expressed it, a proposal made to me by some parties to call a Congregational Meeting, for the very purpose of considering the rights and duties of the congregation in this very case? Surely it was enough for me to appear to be impartial in the matter. My feelings have at no time been absolutely dead in regard to it, but certainly I have succeeded wonderfully in keeping them so calm as not to interrupt the ordinary flow either of pulpit duty or of private ministrations.

The idea of my intending to constitute the teachers of my Sabbath School a court of discipline, in room of the Session, originates in misapprehension. I never dreamt of such a thing. I claim the Sabbath School as part of my pastoral charge. Mr. Pyper had been put over it as superintendent without my having been consulted or the Session, and in my absence from home. I did not allow my feelings on this account to prevent a recognition of him in the character of superintendent, because I knew him to be an able and spirited inspector of Sabbath Schools; but when the speech of Mr. Pyper was repeated to me by one in whom I had perfect confidence, and when Mr. Pyper himself did by no means disabuse me of the impression, I felt it to be a duty to myself and the congregation, to call for the resignation of one in whom I could not have confidence. I asked nothing more; and I maintain that a minister is entitled at any time, and for reasons less cogent, to resume the charge personally of the lambs of the flock. When Mr. P. refused to resign, and when the teachers sustained him in this, I asked them to satisfy themselves of the reasonableness of my request by bringing the parties face to face. This they, by a majority, refused to do; and ever since they have been in a state of rebellion against the pastor, whose assistants they affect to be. But had they acceded to my request, and made the enquiry asked, would this have interfered with the duties of the Session? Not in the least. If Mr. Pyper remained in communion with us, the enquiry on the part of the Session would have been so far facilitated; and if he left the congregation, the necessity of enquiry on the Session's part would have been superseded. As a private member of the Church, Mr. P. is responsible to the Church Courts; but just as in the case of the treasurer of a Bible Society, or of an agent in any religious association, his office of Sabbath School Superintendent added to him a new

responsibility, and vested his constituents with additional control over him.

For eighteen months I have been kept out of my Sabbath School by the fact of Mr. Pyper and his "walking ticket" being there. I believe he used the words; and do not some of the Sabbath School teachers believe as I do? and have not more than one discontinued their attendance on this very account? That there is no *physical* bar in the way of my entering the classes is true; but there is a moral barrier which, to a man who knows what self-respect is, proves just as powerful. One of the causes of the depression in the spiritual state of my congregation is just this fact: that Messrs. McMurrich and Shaw being the majority of the Session authorizing it, the Sabbath classes are monopolized by strangers in the congregation, disaffected to the pastor, and having interests opposed to his.

The Presbytery free me from the charge of "tampering" with witnesses, but they notice what they consider an unguarded expression as used by me to one of the witnesses. Let an impartial public listen to this case; a strong one surely if held worthy of ecclesiastical record. One of the witnesses examined, Mr. Donald Fraser, labours under a painful defect in hearing, and at two or three meetings of Session at which he was present, we had considerable difficulty in obtaining categorical answers to our questions. On one of these occasions he was asked by Mr. McMurrich to put his reply in writing. He did so, but the reply was so ambiguous and indistinct as to convey no intelligible idea. The Elders keenly contended for it standing as it was; whereupon I remarked that it was the duty of the presiding judge to "protect the witness," and that I would protect him. Whereupon I told him to look at it again, and try and make it intelligible; adding in words nearly as follows: "Mr. Fraser, do yourself justice." The language put into my mouth by Messrs. Pyper and Campbell, and concurred in by the two Elders, "Ah, sir, that won't do; you must come down a peg. Your evidence is by far too favourable for Mr. Pyper."—I solemnly declare in writing, as I have repeatedly done in words, *to be a base fabrication*; and I am happy to refer to the evidence of Messrs. Gilbert, Oal, and McKay, and of Mr. Fraser himself, that no such words were heard by them; and they must have been heard, if used, by all present, for I am always in the way of

speaking in a loud tone to that excellent young man, simply because otherwise he would not apprehend my meaning.

I will not say that I never put what are called "leading questions." I assert in regard to this, two things: first, that at the Session Meetings, the mode of questioning *on all sides* was not materially different; and secondly, that whenever the parties at the Session, or the Moderator or any member in Presbytery, complained of these leading questions, I invariably yielded the point, and either asked others to examine or changed my manner of questioning, so as to avoid the error complained of.

That in Mr. Pyper's store, in March 1854, I did apply the term "enemies" to Messrs. McMurrich and Shaw, is true; but why does Mr. Shaw now refuse me the benefit of the explanation he so candidly gave of it at the Synod in June last, and which is assuredly the genuine one, namely, that he did not understand by the expression any personal reference, but simply an expression of dissatisfaction that they did not accord with me in opinion in regard to the McGregor and other cases, and did not help me, as I expected they would have done, in the vindication of a righteous cause?

That Knox's congregation is in an "unhealthy" state, spiritually, I doubt not. Are there many congregations around us that are, in a high and holy sense of the word, "healthy?" I think I know my congregation pretty well; and I hesitate not to say, that for *two* suitable men for the Eldership in 1846, I will undertake to give you *ten* in 1855. If our prayer meetings, domestic and public, are not so well attended as they should be, I beg to know whether the Elders and the managers may not be somewhat responsible, from their not strengthening the hands of the Pastor by their own personal attendance. It is easy for prejudice to say of the congregation and of me, "it is naught;" but I would not despise the day of small things. Still, "let the righteous smite us; it is a kindness." Spiritual life is certainly low amongst us; and at the head and front of the causes of this I would put my own short comings. The heart-burnings which certain parties have occasioned are certainly prejudicial to us; but if you will give me the storm and the tornado, I will cheerfully make you a present of the stillness and the death which accompany "the pestilence that walks in darkness."

Of the progress of the congregation since the commencement of my ministry, the following table of admissions of members may give some idea :—

A COMMUNION LIST OF KNOX'S CHURCH

Extracted from the 'Session Record, this 10th December, 1855.

Roll as it stood on 23rd May 1845, the day when Dr. Burns was inducted..... 215

Admitted in September 1845, first Communion Season... 80

In February 1846	48
In September 1846	23
In February 1847	38
In September 1847	34
In February 1848	33
In September 1848	18
In February 1849	40
In September 1849	51
In February 1850	74
In September 1850	21
In February 1851	55
In September 1851	25
In February 1852	25
In September 1852	34
In February 1853	39
In September 1853	30
In February 1854	37
In September 1854	70
In February 1855	35
In September 1855	39

1064

Being at the average of about eighty per annum. The average congregation is estimated at 800 in the morning, and 150 additional hearers in the evening; making 950 in all: this of course including communion seasons.

The gross number on the roll of communion in June last, excluding removals by change of residence and by death, was 420. Mr. Alexander Henderson, of Yonge Street, although not himself a member, kindly interposed his services to obtain a better supply of spiritual privileges for himself and his friends, and as he himself expressed it, "concocted," with the aid of a few congenial spirits, a "memorial" to the Presbytery for my relief from active service, with a liberal measure of

half-pay, and a place on the roll of the ancient naval veterans of the British flag, "the Admirals of the Yellow." I was kindly allowed a sight of the names in this memorial, and I now exhibit an analysis of it, for whose general accuracy I think I can vouch:—

ANALYSIS OF MEMORIAL.

Number of names, excluding the six concurrents.....	43
Of whom, heads of families.....	26
There are of communicants.....	47

In the list there appear the names of nine or ten young men, in the employ of Messrs. Pyper, Campbell, Leask, Henderson, Polley, and Laidlaw. Mr. and Mrs. Henning are not members of Knox's Church, although they occasionally occupy a seat there. Among the memorialists there are many ties of family and commercial relationship.

Of the six "concurring, Messrs. Peter Brown, Hugh Miller, and Samuel McLaine are connected with the George Street congregation. Mr. John Laidlaw and Mr. Robert Maitland were formerly of Knox's Church, and have not as yet joined any other; and Mr. Gordon Brown has lately joined, I am told, the Church of England. They all, however, adhered at one time to Knox's Church, and they form an aggregate of ten or twelve communicants.

My impression is, on the whole, that not one-half of those respectable persons, whose names are at the memorial, have any well-defined or strongly-felt desire to leave my ministry.

If the lengthened examination which six days have witnessed has been in any one instance gratifying to me, it has been in this, that it has brought out some pleasing illustrations of good done by my feeble instrumentality, of which I was not aware; and that it has rallied around me in greater strength than ever heretofore, the affectionate attachments of pious and intelligent hearers.

With regard to financial concerns, we are not bad at all, and I trust we shall soon be better. Mr. Leask has furnished me with written evidence quite sufficient to prove this, however difficult it may be to make it tally with his appearance here, in company with the extrusionists, this day. His balance sheet for 1854-55 shews an excess of £104 7s. 3d. in expenditure above the receipts; and how does he account for it? First, by stating that the sum of £94 6s., standing in the column of "annual expenditure," went to payments on the "building account;" and secondly, that £109 4s. of seat-rents was unpaid. I told him at the time, that had he given

no notice of this before the balance was closed, I would have tried and got a portion of it in, for our people are neither unable nor unwilling to pay. In May last I wrote to him to the same effect, and pleading for justice to the sitters, by his putting to the credit of last year what properly belonged to it, although not actually collected till the balance was struck.

In the end of March this year, with Mr. Leask's concurrence, I drew up the following notice, which was read from the pulpit on March 28 :

"The Trustees beg respectfully to inform the congregation that by a prospective calculation made for the current year, there will be a deficiency of about £60 in the income necessary to defray current expenses, and they would earnestly desire such an increase in the ordinary collections as would meet this deficiency. The average ordinary collection for last year is about £5, and four or five dollars more (not a large sum when spread over a large congregation) would cover the amount required. A very little exertion will do this ; and I would earnestly recommend to all the members and sitters, to make conscience of the duty of their voluntarily contributing of their means to uphold the ordinances of God."

The result has been what it always is in matters of this nature, a prompt attention to the recommendations of the pastor ; and from that day to this the average of weekly collections has been rather above than below £6.

Of the gross amount of yearly collections, the following table may afford proof that there has been no falling off :

1851.....	£315 2 5½		1854.....	£367 19 2½
1852.....	296 4 0		1855.....	*444 5 8
1853.....	344 11 3			

The trustees, indeed, have told the Presbytery that the last six Sabbaths shew a falling off in all of rather more than £5. Three of these Sabbaths have been very wet days ; and the weather always affects our collections. Moreover, there are *moral* causes in operation as well as physical—and more powerful they are certainly—and Mr. Alexander Henderson may not be the only sitter who triumphantly exclaimed in my hearing—obviously to prevent me from entertaining a higher

* It is but fair to notice that this last sum is above the amount that might have been expected in ordinary circumstances. The afternoon service in which Dr. Duff officiated brought us £80, and of that sum £30, or perhaps £40, may have been contributed by strangers.

idea of his generosity than might have been warranted by facts,—"I am sure I kept my hands in my pockets." I have before me Mr. McMurrich's state of the sacramental collections in Oct. 1849, and I observe that, compared with those of 1854-5, the difference is as £13, to within a trifle of £23.

Ample reference has been made by Mr. John Shaw to the plans proposed for the benefit of the Church finance in 1852. He forgot to state that the entire origination of the plan contained in the following paper, belongs not to the trustees, but exclusively to the pastor, whom at that time the same influence, now at work, sought to exclude :

TO THE MEMBERS AND SITTERS IN KNOX'S CHURCH.

At the annual meeting of the Congregation, held in March last, it appeared from the Report of the trustees, that the ordinary income and the ordinary expenditure nearly balanced each other, leaving nothing for the payment of interest on the debt, or for meeting some repairs rendered necessary for the comfortable accommodation of the congregation. To cover these outlays, an amount of about two hundred pounds will be required for the present year.

In order to suggest a plan by which such an augmentation might be made to the regular funds of the Church, as would be sufficient to cover this outlay, a Committee, consisting of the Trustees, members of Session, and six members of the Congregation at large, was appointed, who having given the matter their most careful consideration, came to the resolution that the easiest and most effective plan would be a voluntary agreement on the part of the Sitters to add considerably to their ordinary weekly contributions.

The Committee are aware of the liberality with which many already contribute, and for this they would make every grateful acknowledgment. Still they are persuaded that the subject of regular contributions on the Lord's Day has not engaged the attention of members so fully as its importance entitles it to; and they are satisfied that a regular and duly graduated scale of weekly contributions must commend itself to the approval of all who desire to see the congregation flourish.

The Committee desire it to be distinctly understood, that in making such a proposal, they are far from wishing to dictate to the congregation, or from appearing to propose a compulsory assessment. They desire merely to indicate their own impressions of the financial capabilities of the congregation, and respectfully to suggest for voluntary adoption a plan which, in their opinion, if fairly carried out, promises to be successful. From a careful survey of the congregation, and independently of any additions which may be made to it from time to time, it is the opinion of the Committee that a scheme of contributions, somewhat like the following, might be aimed at, and if successfully carried out, the result would be amply sufficient to realize the object in view, while the pressure would not be felt so much by individuals.

Supposing that in the congregation considered as ordinarily assembling at the two diets of public worship on Sabbath, there may be of sitters representing families—

Ten—who might agree to contribute one dollar each to the weekly Sabbath collection, thus realizing.....	£2 10 0
Twelve—who might give 2s. 6d.....	1 10 0
Thirty-two “ 1s. 3d.....	2 0 0
Forty-eight “ 0s. 7½d.....	1 10 0
By the rest of the Congregation.....	2 10 0

Thus making in all..... £10 0 0
(Being about double the present collection.)

In a congregation, as in all associated bodies of men, every individual member is expected to take his share of the responsibilities involved, and when a fair and equitable average is taken over the whole, the burden on any one in particular becomes light; and while the duty of prompt and cheerful payments of seat-rents ought ever to be recognised and acted on by every member, it is to the voluntary offerings of the congregation on the Lord's Day we must look as at once the test of the attachment of the members, and as a pledge on their part that they will do everything in their power to secure the permanent prosperity of the Institution they desire to uphold. The above proposal having been submitted to an adjourned meeting of the congregation, held on the 4th inst., was approved of, and is now commended to the favourable consideration of the congregation.

JOHN KAY, Chairman of the Joint Committee.

JAS. LEASK, Treasurer.

ROBERT BURNS, Minister and Moderator of Session.

Toronto, 27th May, 1852.

And why did this plan fail? Simply because the pastor who drew it up, was not supported. My wish has all along been to keep the seat-rents moderate, and to raise the weekly offerings. As it was, good was done; and the plan may yet be carried out, were suitable agents to be obtained. That they may be obtained with greater success now than three years ago, I have not the shadow of a doubt.

The Presbytery have been pleased to notice the objectionable nature of the “constitution” under which the Trustees of Knox's Church act; but they are of opinion that “the evils existing in the congregation are but in a slight degree traceable to this source.” Had the Presbytery taken the slightest pains to inquire into this matter, they would soon have found that the *origo mali* lay in this very document. It was this “constitution,” as it is termed, that mainly led the Trustees, in 1845, to call in question the obligation involved in their arrangement with me before leaving Scotland, as to rearing a Church. It was this “constitution” that led me, in 1846 and since, to protest against merely secular managers taking up the alms of the congregation designed for sacred purposes, and

these only. It was in his zeal for this "constitution," that Mr. John Shaw made the well-known speech which, at the distance of five or six years, he rehearsed in his address to the Presbytery on Friday, December 6th, and which, to my feelings, was at the time and since, most revolting;—that if any elder dared to interfere with him in taking up the collections, he would soon give him a very palpable proof of his mistake.*

It was this same "constitution" which, in October, 1848, led to an issue unexampled except in the annals of the "Ten Years' Conflict" in Scotland. What was it? The worthy Precentor of Knox's Church having given offence by appearing rather prominently in or at the orchestra on occasion of the opening of St. Michael's Cathedral, was suspended by authority of the Session from his office for a short time. The Trustees, offended at this, called me to a conference. I refused to go without my elders. I had then some men of sturdy principle around me. We went in a body, and declined the jurisdiction of the Trustees in the case. Dr. Willis, being present, was appealed to, and gave it in our favor. Nevertheless, the Trustees reversed the sentence of Session, and restored the Precentor to his place! At a later period (1852) they summarily removed the same gentleman from his office, for some offence, real or supposed, and never thought of consulting either the minister or the Kirk Session; and they claim *absolute control* in the matter of the singing of the congregation, just as they control the Kirk officer in keeping the Church in complete order. It is a succession of such things that has introduced a state of feeling betwixt the Pastor and Trustees not at all agreeable. The great majority of the communicants and sitters accord with me in sentiment, and I have now, for the first time in my ministry here, the hope of rescue from a thralldom, to me far more revolting than that of the Court of Session at Edinburgh. In all this I will be sustained by nine-tenths of my people, whenever the Trustees shall be pleased to give them an opportunity of their being heard in the matter; and if my worthy friends, Messrs. Young and Reid, members and adherents, will please to meet with us on any such occasion as this, they will perhaps

* Mr. Shaw, when Dr. Willis asked his design in this expression, coupled as it was with the remark, "even at the risk of a desecration of the Sabbath," gave a meaning to his language totally different from what no one before ever doubted was his meaning *at the time*, namely, that he would take the plate from the Elders by physical force.

find what they have not found heretofore, "satisfactory evidence of haughtiness being exhibited by the Trustees towards members and adherents of the congregation!"

Referring to the matter of the removal and election of Precentor, I have been charged with having said that the Trustees "broke their pledge to me." I distinctly said so at a congregational meeting, and I say so still. On two occasions they did so. Once in Mr. McMurrich's store, when Mr. Leask and Mr. John Shaw were present, and when they expressly promised to consult the Session before any election was made; and again, in my own house, when Mr. Gilbert and Mr. John Shaw assured me that an interim appointment only would be made. These gentlemen knew full well my clear and decided opposition to their views as to the election and removal of the Precentor, and it never occurred to me that they had come down with any other intention than to satisfy me that they would not trench on the understood popular right beyond an interim appointment. Had they so much as mooted the idea of an appointment which would traverse the congregation's claim, they were quite aware that I never would have consented to it. The Trustees, nevertheless, did so; and hence a great heart-burning has been occasioned.

I can hardly explain the unfortunate collision by the plea of misunderstanding. We knew full well each other's sentiments; and it never occurred to me that we could misunderstand each other. In regard to the one instance, I can conceive it likely that an appeal to *each member of Session* separately might be considered by the Trustees as amounting to a consultation with the Session *as a body*, and this may be their explanation; but assuredly I cannot look on the two things as identical. In regard to the other case, it is not unlikely that Messrs. Gilbert and Shaw had in their eye an absolute appointment by the Trustees during pleasure, subject to the approval or disapproval of the congregation; while my mind was resting, and naturally, on the right of the congregation to make the appointment. If they saw that I was labouring under a misapprehension, it was surely their duty to remove the cause of it; but then they knew well that I would have protested against an assumption of what did not belong to them.

I have now disposed of the counts which the Presbytery have been pleased to include in their "deliverance," as

substantiated against me in the second and third articles of their enumeration; and I doubt not a favourable verdict will be returned by an impartial public. To the fourth—the most serious of all—I must now, solemnly address myself. I have a right to demand it as my due, that if the serious charge of “dishonesty,” as deliberately written out and brought with them by the two elders to a meeting of Session, called with their approval and for a legal purpose, has not been instructed and proved, some reparation is due to me. What have the Presbytery found? They “find that nothing had been adduced to prove Dr. Burns to be insincere or dishonest *of purpose*,” and then they go on to account for the charge brought against me by a reference to my supposed “rash and precipitate” conclusions, and my “pertinacious adherence to them after sufficient evidence of their incorrectness has been brought forward.” This is the old Lublin story over again, for there, the Synod found that “perjury” meant “rashness,” and a little more. Messrs. McMurrich and Shaw are men of too much discernment to be satisfied with such a plea. They know the English language well enough to see that “rashness” and “the want of straightforwardness” can never be identified as one and the same thing. The most honest of men are often the most rash. Men with dishonest plans and intentions have the craftiness of the fox, and they proceed cautiously and calmly to carry out their intentions. Dishonesty is not exactly their *purpose*; it is rather a *means* in order to gain a selfish end—for all dishonesty is essentially selfish. And if my two brethren of the Session, who, to adopt the language of Mr. Ure, seem to have brought “a foreclosed conclusion” with them to the meeting, in the shape of a deliberate indictment, are not at all likely to avail themselves of the explanation which the Presbytery has furnished, much less am I. To the charge of “rash and precipitate conclusions,” from imperfect evidence, I solemnly and most distinctly, and in the unsophisticated sense of the terms, plead Not Guilty. With a single exception, every conclusion I came to, in every case that has made a noise in our city, and in which I have acted a prominent part, has been substantiated by matter of fact, and I am ready to demonstrate this to any competent jury. I name especially, the Dawn case of Henson in autumn 1846; the Island of Juan Fernandez case in 1850; the Macgregor case or cases in 1851-52; the case of the minister from Morpeth, in 1852; the Lublin case in the spring of 1853,

and the case of the Irish Minister, in 1854. I have acknowledged one exception; and it was made far more of in the Lublin case than there was the smallest occasion for. A young friend from Glasgow came before me in circumstances so peculiar, as to lead me to entertain and to give utterance to serious doubts of the truth of the statements he gave of himself, and of the genuineness of a certain letter which purported to be from a near relative. I believe I hurt the feelings of the young man, and was very sorry for it. But what was the issue? No sooner did I receive an explanatory letter from the parent of the young man—an esteemed old friend, and the letter was the very reverse of objurgatory—than I acknowledged my mistake, received the young man into my confidence, and ever since we have been on terms of the warmest intimacy. I had drawn no “rash conclusions;” I had merely entertained “suspicions” not altogether unreasonable; but I never “persisted” in them after evidence was brought to satisfy me. No. I thank not my brethren for their modified theory of “dishonesty of purpose.” Not only am I not “dishonest of purpose,” or from a love of dishonesty for its own sake; *I am not dishonest at all*; and their theory falls miserably short of the real and “*honest purpose*” of the two elders in the charge against me. They gave *their own proofs* at the bar; and their proofs, such they were, I think I have succeeded in sweeping away.

A case of supposed pertinacity on my part, has been referred to, not in the deliverance of the Presbytery, but in the speech of Professor Young; and to the particulars of that case I must call the attention of the reader. The question was put to me—Would you take a man’s disavowal of certain opinions as sufficient? My reply was in the affirmative. Obviously I had reference to ordinary cases; not to such an instance as that to which the principle was immediately applied. Mr. Pyper was brought forward to disavow Erastianism on the property qualification for votes, irrespective of religious relationship. He did disavow it, and hence the inference that I ought to be satisfied, and withdraw my opposition to his ordination on that ground. Now I have to remark, in the first place, that Mr. Pyper had, in his own store in March, 1854, and a month after in the Session-house of our Church, and at a meeting of Sabbath-school teachers, advocated the principle so strenuously that it never could enter my mind that he did not really hold

it; and looking on him as holding it with great tenacity, I would insult a man by saying that he can lay aside his principles with the same facility as he can lay aside one piece of raiment and assume another. What better proof can a man give of his holding certain opinions than his avowing them and defending them? If Mr. Pyper really disavows the property qualification now, I am glad of it; but he did nothing of the kind at the Sessional and Congregational meetings, when (as correctly reported in the *Globe* of October 25th), he wondered what we had to do with his views on such matters. But, in the second place, Professor Young knows full well that many in Knox's congregation concur with me in the impression—an impression which no Synodical finding can efface from our minds—that Mr. Pyper *did use* the language ascribed to him by Mr. R. D. Macpherson; and hence we are not without our fears that the same person who so stoutly persists in his averments to the contrary, may, without much difficulty, clear himself of certain opinions by a verbal denial. In the last place, my late elders, Messrs. McMurrich and Shaw will not deny the historical fact, that my repeated condemnation of the paper called "the Constitution of Knox's Church," has been one of the sorest points of variance between them and me, and they will, perhaps, not be surprised if I declare it to have been all along my impression that the fact of Messrs. Pyper and Campbell being more in harmony with them on this matter than with me, was *one of the reasons* why they desired their accession to the Eldership. Of course, no one will infer from anything that has been said, that even the most perfect satisfaction as to their soundness on this point, would, *ipso facto*, remove all the objections to their ordination.

As I have been again led to speak of the "Constitution," I may, in a few words, reply to Mr. John Shaw's question as to the "honesty" with which I can at one time say of the document, that it is a "legal," one, and at another that it is "no Constitution at all." The document I believe to be "legal," in the sense of its having been drawn up in 1822, and applied by the Trustees of Mr. Harris's Church as then existing; and yet it is "no Constitution" for Knox's Church as now existing; and for this reason, as for others, namely, that in not fewer than three clauses it recognizes the "selling" of seats in the building, and is therefore not adapted to such an erection as Knox's Church, in which there is not one particle of private

property; our sittings having been by deliberate deed of the congregation, reserved entirely for *their* disposal.

Whatever may have been the wish of any party in the late investigation as to throwing discredit on the character and ministrations of the pastor, it never was *my* wish to say anything as to the efficiency of my elders. Had the expiscation of this been in the eye either of the Protesters or myself, we would have adopted a very different mode of doing it. I am not aware of the Presbytery having put a single question to me as to the efficiency of my eldership. Had they asked my views on that matter, they would have had them. It was with the minister only they felt themselves as having to do, and mutual recrimination was far from my mind. It cost me four years' "dealing" to secure their acceptance of office; and now, after a service of about the same extent, they have unceremoniously left me. What the Synod may do with them and with me remains to be seen. In the meantime, there seems to be much practical wisdom in the following clause in the specimen of our "Book of Discipline," just published in the supplement to the *Record* for January, 1856: "Ruling elders retain their office for life, except when their demission is accepted, or they are deposed. If they demit their office, the congregation should be very cautious in calling them again to exercise it."

Mr. Gorrie having felt it his duty to come forward as my accuser on this occasion, I shall notice his charges in their order:—

1. Mr. Gorrie is in an error when he states that at the laying of the foundation-stone of Knox's Church in Autumn, 1847, ministers of different denominations had been invited to attend. Whether it ought not to have been so, may be matter of question; but the matter of fact was, as I now state it, that ministers and members of our own Church only were invited to be present. In my address on that occasion, I did advert to the great bar in the way of union with the United Presbyterian Church, and I did so certainly from no wish to stand in the way of union, but exactly the reverse. I have succeeded in my wishes. A respectable minority of that body have, at the last Synodical meeting, publicly advocated my views, and moved for a declaration which, had it been carried, would have greatly smoothed our way to union. The movement is cer-

tainly on a small scale as yet, but it will acquire force gradually, and issue in union on a solid and durable foundation. Our brethren in the United States are in advance of us on this point. In their public, national, or State movements for educational or agricultural purposes, even, they acknowledge God by asking his special presence and blessing. Their colleges, and universities, and schools, they desire to place under a religious, even at the risk of its being, a denominational influence. In all the older State governments, an annual recognition of God, in the way of thanksgiving or penitential acknowledgment, is in use; and to the recognition of national or social responsibility they attach great importance. The *infidel tendencies of all things* in secular relationship they deeply deplore; and well would it be for Canada did she sympathise with them in this. The Sabbath may be advocated on principles of expediency, I doubt not; but "Thus saith the Lord" is my principle, in the primary place. There is very little prospect of union among religious bodies, who stand opposed to each other on such essential elements as these; and I shall never cease to let my voice be heard in opposition to ultra views, whose tendency, whatever may be the motives of their patrons, is directly to what has been called, and perhaps justly, the *mare magnum* of sectarian animosity.

2. Mr. Gorrie assails me as a secessionist. I must confess that several years ago, my acquaintance with Mr. Redpath, Mr. Dougal, and other esteemed friends at Montreal, rather influenced me in that direction; and I thought, with perfect sincerity (as they did), that an union of the Northern or Eastern States with Canada, would be favorable to the abolition of slavery, and would be a check on Popish ascendancy in the Lower Province of Canada. I would not advocate that view at the present time; nor would I hesitate now to sign any petition in behalf of British connexion. I am out and out loyal to Queen Victoria; and I cordially detest slavery and Popery. Mr. Gorrie knows that I never advocated from the pulpit any principles favorable to union with the States; and my views on such subjects do not seem to come within the range of this Presbyterian Visitation. Some of my ardent friends, I knew, were not satisfied with me on this matter. I am not yet satisfied with myself; but I think if this is all we have to account with one another for, the way to an amicable adjustment is not far distant.

3. I wonder that Mr. Gorrie brings up in his indictment,

the famed Macgregor case. At the meeting held in this place on my return from New York in October, 1852, he stood forth as my warmest advocate; and when, in January thereafter, I printed my "Appeal," he was one of the first to whom I sent a copy, with a letter of thanks for his speech. All this is away from his mind now; it is not absent from mine. Men may mistake in their reminiscences of things; but Mr. Gorrie will not easily find a man who, in order to clear up a point of uncertainty, undertakes at his own expense and risk a journey of twelve hundred miles, as I did, to New York and back again, bringing with me, as he knows, the genuine signature of Dr. Milledoler appended to Dr. Lillie's diploma of life-membership in the Jew's Society, and which had no resemblance whatever to the signature which I had impugned. And has Mr. Gorrie not read the *Examiner* of June 13th last, where he will find the denouement of what I foretold two years before, in the complete disruption and dispersion of what I ever and anon denounced as a "combination of rogues?" Does he not know that Mr. Van Wick, Mr. Libbey, and the other persons who foolishly allowed themselves to be arrayed against me by the chicanery of Macgregor, have now published their retraction to the world, and that the far-famed "A. M. Soc. Mel. Jews" has an existence now only in the memorabilia of pilfered pockets and Torontonians gulls?

4. To the Lublin case Mr. Gorrie makes only a distant allusion, although he would fain have put it among the counts. I was right here; I was right in every other instance; and whatever Mr. Gorrie's friends "in the streets" may say of me, my God will stand by me, and the cause of rectitude shall triumph. A Medal from the citizens was given me. With articles of Paisley manufacture I had been long acquainted; this was a little bit of Toronto manufacture; and it is really a pretty thing, and a dear memorial to my family and me. One hundred of my congregation united with one hundred of the citizens at large, in giving it me, and Seventy Pounds in cash, which paid all my expenses both in the Macgregor and Lublin cases; but left not one shilling over. I was so silly as to think that my people would have been pleased to see their minister thus honored, and that the names of Gorrie, and McMurrich, and Shaw, and Pypor, of Knox's Church, would have graced the collection of autographs which Mr. Ormiston, in name of the subscribers, consigned to my keeping. I was

mistaken ; and these gentlemen are now amazed that I should call in question the reality of their friendship !

To my own mind, one most distressingly painful view of this whole case has been its tendency to bring into disrepute, and to render loathsome to our people, the valuable palladium of our church, and the real glory of Presbyterianism—the power of internal regulation and of strict superintendence. The principle of both has been from the first incorporated with our reformed system ; but, in applying that principle, considerable latitude has been wisely permitted. One thing has in every instance been attended to, namely, the wide and obvious distinction betwixt a Presbyterial Visitation and a formal trial. The only thing common to both seems to have been the examination in both instances of all parties *on oath*, a matter which, in the case of Toronto, was neglected, and hence the levity and rashness of many averments on both sides. The proposal which I submitted and pressed on the Presbytery, of meeting the congregation by itself, and having six or seven delegates or commissioners nominated to represent them in the enquiry, was negatived. Unceremoniously, minister, elder, and people, were all dragged to the bar as criminals or as accusers ; and at once the tocsin of discord and hatred sounded. It has been strangely forgotten, that the primary design of a visitation is to *prevent* the formalities of a trial by tenderly applying emollients and sedatives. In my case all propriety and decency have been outraged. Evils have been found, but no remedy applied. Matters which demanded instant adjustment are hung up indefinitely ; and that which all good Presbyterians have ever esteemed as the conservative and “redeeming trait” of their system, has been dangerously imperilled.

APPENDIX.

No. I.

MEMORIAL BY DR. BURNS REGARDING MR. PYPER.

As this Paper forms the basis of all matters affecting Mr. Pyper, and his election to the Eldership, it is with propriety inserted first in the Appendix. It was originally addressed to the Sabbath-school Teachers; but circumstances led afterwards to its production before the Church Courts:—

In the course of Wednesday the 27th day of March last I met at an interval of, perhaps, an hour, two members of Knox's Congregation, Mr. James Stitt and Mr. Robt. Simpson, who, in reference to the anticipated Congregational meeting of that evening mentioned an incident which had been brought under their notice by a member of the Congregation, whose name they did not state; and I understood them as referring to it in illustration of certain feelings that had been shewing themselves in certain quarters, and of which they thought it proper that the Pastor should be made aware. It was to the effect that the member referred to, had on the morning of the day before been in communication with a gentleman, whose name is on the roll of communicants, when reference was made to the presentation of a testimonial to Dr. Burns. "I thought," said the gentleman, "that the testimonial had been presented long ago." "No," said the other, "it is intended to be presented this evening." "It is well that it should be so," replied the other, "as Dr. Burns will be sure of getting his walking ticket to-morrow night," or words to that effect. Whatever may have been my feelings on the occasion, I did not ask the name of the person who made such a speech, but simply remarked on the extreme folly of the thing, seeing my call was for life, and could only be cancelled by the authority which conferred it. On Wednesday evening the meeting was held, and Mr. Geo. Pyper was proposed as Chairman. Mr. R. D. McPherson objected to the nomination, and gave as his reason a very improper speech which Mr. Pyper had made not many hours before, but Mr. M. was not allowed to tell what it was. It never could have occurred to me that the speech referred to was the same that had been reported to myself; and I made no inquiry about it. All that night, however, and next day, the thing preyed upon my mind, and I went to Mr. McPherson, and asked him if this was the speech to which Messrs. Simpson and Stitt had referred. He told me at once that it was, detailing to me the facts as they occurred. I asked him to go with me to Mr. Pyper, which he readily did; and Mr. Stitt also being present, the matter was laid before him (Mr. P.). He was greatly excited by apparent irritation, and gave it a broad denial, stating at the same time, that the single reference he made to the medal was in connexion with an understood proposal that it should be presented on occasion of the breakfast to Dr. Duff, and which he (Mr. P.) was determined to oppose.

Mr. McPherson went over the particulars in the hearing of Mr. P.; and I put the question separately to both, "are you ready to go before a magistrate and make oath to the statement," and to this Mr. McPherson readily replied, that "he had no objection whatever." Mr. P. demurred on general grounds; but referred me to Mr. Alex. McGlashan who had heard the conversation. I left Mr. P. and went immediately to McGlashan, whom I found at Mr. Harrison's shoe-shop, Yongo St. On stating the case to him, Mr. McG. said, that "he is certain that the subject of presenting the medal at the breakfast to Dr. Duff was never mentioned," and, that he heard Mr. Pyper utter the words, or to that effect, "I am glad the D^g. is to get the testimonial to-night, for"—and at this moment he was called away by Mr. Michie, and did not hear the conclusion of the sentence; but, with this exception, he is sure he heard all that passed between Mr. P. and Mr. M.

I have no doubt in my own mind, that the speech was made, as reported, by Mr. McPherson; and the spirit it indicates towards me, is such, as renders it impossible for me to recognize the person who made it, as a suitable associate with the pastor in the work of Sabbath School Teaching. Painful as it is, therefore, I am compelled, from regard to my own character, to call on Mr. Pyper to resign his connexion with the Sabbath School of Knox's Congregation.

(Signed)

ROBERT BURNS.

7th August, 1854.

The above is a true copy of the paper read by me at the meeting of the Sabbath School Teachers of Knox's Church, on the 27th day of April last, and put into the hands of Mr. Thompson the Secretary.

(Signed)

ROBERT BURNS.

No. II.

GROUNDS OF OBJECTION BY DR. BURNS AFTER SERVING THE EDICT.

1. I object to the ordination of Mr. Pyper as an Elder of Knox's Church, because he appears to be a man of a proud and conceited mind, and not likely to add much moral weight to the Session in the eye of the community.

2. Because the speech which, on a late occasion, was read by him before the Presbytery, and in June thereafter at the Synod in his name, indicated a spirit of bitterness and malignity altogether unchristian.

3. Because he has on more than one occasion declared his adherence to the principle on which the Constitution of St. Andrew's Church, Toronto, and Gabriel Street, Montreal, is based, namely, a property qualification, rather than membership, as entitling to privileges in elections. I object to both Mr. Pyper and Mr. Campbell—

1. Because the one was returned by the suffrages of 59, being one-seventh part of the communicants, and the other by 79, being less than one-fifth.

2. Because both of them absented themselves from the holy ordinance of the Supper in Knox's Church, on the first Sabbath in September last.

ROBERT BURNS,

Pewholder, Communicant, and Pastor.

No. III.

Grounds of objection (after the Edict) subscribed by 138 seatholders, of whom 106 are communicants :—

TO THE MODERATOR AND MEMBERS OF THE SESSION OF KNOX'S CHURCH,
TORONTO.

WE, the undersigned members and adherents of Knox's Congregation, having been made aware by the Edict, that you are about to ordain to the sacred office of the Eldership two gentlemen, Messrs. G. A. Pyper and J. M. Campbell, who, we are grieved to state, are unacceptable to a great number of the Congregation; and we have reason to believe that their ordination will create division, and cause many valuable and useful members of the Congregation to leave the Church.

We would therefore earnestly solicit you, as you value the peace and prosperity of the Congregation and the Church at large, not to proceed with their ordination, as it would not tend to the spiritual prosperity of the Congregation.

We do not overlook the fact that they were nominally elected, but since the election circumstances have considerably altered, owing to what has subsequently taken place, causing many of us who voted for them to alter our opinion, and now consider it our sacred duty to join in this request for you not to proceed with their ordination.

In conclusion, we would earnestly urge upon you to take the matter into your prayerful consideration, and we trust the Great Head of the Church will so direct and guide you in your decision, as that it will tend to promote His own glory and the good of all connected with the Congregation and the Church at large.

Seven other Protests were given in, signed by upwards of 40 members and adherents, nearly to the same purpose.

No. IV.

MINUTE OF PRESBYTERY ON RECEIVING NOTICE BY DR.
BURNS OF THE RESIGNATION OF ELDERS.

At Toronto, 31st October, 1855, the Presbytery of Toronto met, &c., *inter alia*, Dr. Burns made a statement to the effect that, in consequence of certain proceedings in the matter of receiving objections to two of the elders-elect in his congregation, viz., Messrs. G. A. Pyper and J. M. Campbell, both of his elders, Messrs. J. McMurrich and James Shaw had given in their resignation, and thereafter left the place of meeting, and he had now no Session. He therefore requested the Presbytery to appoint Assessors to form, with him, a Session, until elders be ordained, or to appoint a Presbyterial Visitation of his Congregation.

There were produced and read, an unfinished scroll minute of Session on the case, also a paper containing reasons of Messrs. McMurrich and Shaw's resignation.

Dr. Burns and Mr. McMurrich were heard on this case. On the call of the Presbytery, Dr. Burns laid upon the table the foresaid papers, which were ordered to be kept *in retentis*.

Whereupon, after deliberation, it was moved by Mr. Gray, seconded by Mr. McLachlan, and unanimously agreed to as follows, viz. :—The Presbytery having taken the matter into consideration, and having found that an unhappy state of feeling exists between the office-bearers of

Knox's Congregation, resolve to appoint a Presbyterial Visitation, for the purpose of fully investigating the matters referred to in the documents submitted to the Court; and do therefore appoint a meeting of Presbytery for that purpose to be held in Knox's Church, Toronto, on the first Wednesday of December, at six o'clock, p.m.; due notice of such meeting being given for two Sabbaths from the pulpit of Knox's Church. The Moderator to preach at the opening of the meeting. The Presbytery to meet at eleven o'clock, a.m., the same day for general business.

Extracted from the minutes of Toronto Presbytery, by
THOS. WIGHTMAN, P.C.

No. V.

MINUTE OF PRESBYTERY FOR VISITATION OF KNOX'S
CHURCH, DEC. 5TH, 1855.—PRELIMINARY MATTERS.

"At Toronto, within Knox's Church, 5th December, 1855, six o'clock p.m. The Presbytery of Toronto again met according to adjournment, to proceed with Visitation of Knox's Congregation. The Moderator, after devotional exercises, preached on Rev. 21, 5, and thereafter constituted the meeting. Sederunt—Mr. McTavish, Moderator; Drs. Burns and Willis; Messrs. Lowry, Reid, Young, Ure, Gray, Laing, Meldrum, Nisbet, Alexander, Holmes, and Wightman, ministers; and Mr. Wallace, elder. A large congregation was present during this sederunt.

"The minutes of former meeting on the 31st October, referring to Presbyterial Visitation of Knox's Congregation having been read, Dr. Burns stated that he had given the requisite intimations of this meeting on the last two Sabbaths. The Moderator read extracts from Pardovan, bearing on the mode of proceeding in conducting Presbyterial Visitations.

"It was in accordance with the rules in Pardovan decided that Dr. Burns, and also Messrs. McMurrich and Shaw, and also the Congregation, be regarded as parties in this case, i.e., that the rules applicable to ordinary Presbyterial Visitations, apply to this, though an emergent one. The following motion was made by Dr. Burns, but as it was not seconded, it was not voted on—'That as this meeting has been called in connexion with the special case of a congregation without a Session, the rules made for Presbyterial Visitations in 1706 do not apply, and ought not to be acted on.' The Presbytery adhered to their resolution as stated above. Whereupon Dr. Burns begged to enter his protest against the finding of Presbytery, and craved liberty to complain to the ensuing meeting of Synod at London in June next, promising to give in his reasons to the Clerk in due time, and craved extracts. The Presbytery ruled that Dr. Burns' protest was groundless, and agreed to proceed with the Visitation."

The above were extracted from the scroll minutes of Toronto Presbytery, on the 21st day of December, 1855, by THOS. WIGHTMAN, P.C.

No. VI.

DELIVERANCE OF THE PRESBYTERY, DEC. 12TH, 1855.

"From the evidence adduced it appears that dissensions and heart-burnings exist in the congregation, and that on the part of a considerable number of Church Members there is dissatisfaction with the Pastor; and

that these evils have assumed such a magnitude as to be a public offence, to hinder edification, and to affect seriously the interests of religion.

“The attention of the Presbytery has been directed to a number of causes, from which this unhappy state of things has been alleged to spring, which are principally the following:—

“Dr. Burns’ neglect of his congregation by engaging in Missionary labour to an uncalled for extent, and so as to occasion inconvenience to his people; the vexatious opposition offered by Dr. Burns to the ordination of Messrs. Pyper and Campbell to the office of the eldership; the improper conduct of Dr. Burns in tampering with witnesses in the course of the investigation prosecuted before the Session of Knox’s Church in the said case; indications on the part of Dr. Burns of a want of sincerity and honesty of purpose; the defects of Dr. Burns’ public ministrations; the neglect by the late elders Messrs. McMurrich and Shaw of the duties incumbent on them as elders; the haughtiness of manner exhibited by the Trustees towards members and adherents of the congregation; and the objectionable character of the constitution under which the Trustees hold office.

“1. With regard to the first of these causes, viz:—Dr. Burns’ alleged neglect of his congregation in Missionary labour to an uncalled for extent, the Presbytery not only exempt Dr. Burns from blame in this matter, but would express their approbation of his missionary zeal and the abundance of his labours in the spiritually destitute parts of the province; and in as far as there may have been any irregularity in the manner in which Dr. Burns has on several occasions absented himself from his pulpit, the Presbytery would merely notice that his conduct on these occasions has been already adjudicated on by his ecclesiastical superiors.

“2 With regard to the second of the above mentioned causes,—the alleged vexatious opposition offered by Dr. Burns to the ordination of Messrs. Pyper and Campbell to the office of the eldership, the Presbytery are of opinion that the opposition offered by Dr. Burns to the ordination of these gentlemen has been in some points vexatious, viz:—by Dr. Burns as Moderator of the Kirk Session of Knox’s Church affording an opportunity to the members and adherents of the Congregation to give in objections against Messrs. Pyper and Campbell before the Session on more than one occasion contrary to the law of the Church; and by himself giving in, after the serving of the Edict, objections which partly had been adjudicated on by the Synod, and partly were such as to impress the Presbytery with the conviction that they would not have been urged had not objections already disposed of been still allowed to influence Dr. Burns’ actions; and, moreover, by representing to a meeting of the Congregation of Knox’s Church, held after last Synod that the decision in the case of Messrs. Pyper and Campbell, had not been a decision on the merits of the case; which opposition must have been felt to be the more grievous, inasmuch as Dr. Burns had previously endeavoured to persuade the Sabbath school teachers to remove Mr. Pyper from the office of superintendent, while the charge made against him had not been proved, and had used his influence to get the Sabbath school teachers to investigate these charges, a duty which can only be properly performed by the Kirk Session.

“3. With regard in the third place, to the charge of tampering with witnesses, in the investigation prosecuted before the Session in the case of Messrs. Pyper and Campbell, the Presbytery find that though Dr. Burns may have used unguarded language, particularly to one witness,

there is nothing to warrant the conclusion that he attempted or desired to elicit from the witness testimony inconsistent with truth.

"4. In the fourth place, with regard to the charge brought against Dr. Burns of a want of sincerity and honesty of purpose, the Presbytery find that nothing has been adduced to prove Dr. Burns to be insincere or dishonest of purpose, and the Presbytery have confidence in Dr. Burns in these respects. At the same time they are of opinion that Dr. Burns is in the habit of speaking in a rash and precipitate manner, making assertions, for the truth of which he does not possess sufficient evidence, and adhering pertinaciously to these, after sufficient evidence of their incorrectness has been brought forward, and to this the Presbytery would attribute the impressions of the want of straightforwardness which seem to have been produced in the minds of various parties who have given evidence before the Court.

"5. With regard to Dr. Burns' Pulpit Ministrations, the Presbytery find that the evidence before them is of a conflicting nature, and such as to afford the Court no adequate grounds for pronouncing a definite judgment on the subject. But they would direct Dr. Burns' own attention to the question whether he has made it a study not merely to expound the truth but to apply it to the heart and conscience of his audience severally.

"6. In the next place the Presbytery with special reference to the extent of the Congregation, and the small number of the Elders, find that there are no grounds for charging Messrs. McMurrich and Shaw with neglect of the duties incumbent on them as Elders. Neither is there any satisfactory evidence of haughtiness being exhibited by the Trustees towards members and adherents of the Congregation.

"7. Lastly, with regard to the Constitution of Knox's Church the Presbytery are of opinion that the said Constitution is in some respects decidedly objectionable. At the same time, they find that the evils existing in the Congregation are only in a slight degree traceable to this source.

"In thus giving judgment on the various particulars of this unhappy case, the Presbytery are of opinion that a sufficient remedy can be applied only by the wisdom and authority of the Supreme Court of the Church; and would therefore refer the case in this respect, to the Synod, asking the Synod to adopt such measures, as in the premises, it may seem fit.

"And they do the rather take this course in preference to the giving of a decided judgment of their own, in the hope that the interval of time still to elapse before the meeting of Synod, may not be without use in bringing about a more temperate state of feeling, and in affording opportunity for the cultivation of healing measures between parties mutually dissatisfied.

"With this view the Presbytery affectionately call the attention of all parties to the recommendation so lately given to this effect by the Synod itself, being convinced by all that has been elicited that at least to some extent, the offences have originated in misunderstandings, and have been aggravated by passion. And the Presbytery do counsel to such candid forbearance mutually as may diminish instead of increasing the evils which all have to lament in this case, whether as respects the internal fellowship of Knox's Congregation or the credit of the general cause before the world at large.

"In the meantime, having respect to the disorganised state of the

Session, and the necessity of some provision for carrying on the usual Congregational business, they nominate as Assessors with Dr. Burns the Rev. Messrs. Harris and Nisbet, Mr. Clarke, Sen. Scarboro', Mr. D. Elder, Brampton, and Messrs. Rogers and Macaulay, Toronto: the Presbytery hereby directing that the Session shall not adjudicate, *in hoc statu*, on any of the questions affecting the state of the Eldership."

No. VII.

The very intelligent editor of the *Examiner*, lately discontinued, although differing from me in sentiment on many points both of doctrine and church government, has been a hearer in Knox's Church for a considerable period, and I requested his attendance as a witness to my character and that of my ministry. He did not feel himself at liberty to interfere in any way with our internal affairs; but he addressed to me, pending the investigation, the following letter:

TESTIMONY OF J. LESSLIE, ESQ.

MY DEAR SIR,—Although not a member of your church, yet as a christian and friend I cannot allow the present occasion to pass without expressing my sincere sympathy with you in the trying and painful circumstances in which you are placed. I was present for the first time since the Presbytery met at the public meeting on last Friday evening, and the scene which I then witnessed was so foreign to all the conceptions I had ever formed, as to the relations and duties of pastor and people, that I left with feelings of deep sorrow and indignation.—Sorrow at the spirit which seemed to animate your opposers—and indignation that so little respect was shown to the grey hairs of an aged servant of God. The one feature in the proceedings which especially excited my amazement was that you, as Pastor of the church, should be required to account for alleged offences, or to explain satisfactorily numerous incidents which had occurred six or eight years ago, and which, however easily explained at the time, you might now find it difficult if not morally impossible to explain. True christian charity will not allow sin to remain upon a brother's head, but will seek to remove the evil and to restore to confidence and love without delay. That charity is spurious which covers offences at the time only to revive them in after years.

In a case such as yours, my dear sir, your past christian character, your laborious services as a christian teacher, author, and missionary; and your venerable age, should have shielded you from such an assault. Differences will of course arise in congregations as to the value of a Pastor's labours, but the law of majorities should, it appears to me, settle them without difficulty. The presentation of facts indicating the absence of progress, or the want of ministerial success, in order to induce a Pastor to retire, or to secure a vote of the congregation for his removal, is quite lawful and justifiable; but to attempt as in your case, to accomplish your removal or retirement by the destruction, seemingly, of moral character—the ruin of an honourable and well-earned reputation of a long life, is unchristian, if not criminal in the extreme.

Having been associated with you for many years in the various public

and benevolent enterprises of the city, I believe that I express a conviction all but universal among those who had the pleasure and honour of your acquaintance, that there is not among all the ministers of the city one more faithful, active, zealous, and laborious than yourself—none more ready to engage in every good work, to sympathize with suffering, and to alleviate distress.

There was nothing that surprized me more at the meeting, than to find that your very ardour to extend, as a missionary, a christian influence beyond the ordinary sphere of your labours as the Pastor of a congregation, should have been brought as a charge against you, and nothing appeared to me more unreasonable than to seek your removal while declaring that your very absence on missionary duty lessened the attendance of hearers although the congregation was left under the charge of worthy and talented ministerial substitutes. The more common complaint against Pastors is, that they limit their labours to the narrow circle of their own flock, or perhaps to the still narrower sphere of pulpit services. The spiritual welfare of a congregation may be greatly subserved, in my opinion, by the cultivation of a missionary spirit on the part of its Pastor. Besides, it is surely better to recruit the energies of a Pastor by travelling occasionally as a missionary at home, than as an invalid abroad. I believe that much of the physical and mental energy you possess at your advanced age, may be traced to your ceaseless activity—your unwearied labour in doing good.

The law of Christ, I fear, has either been overlooked or disregarded by your opponents in this case. "Rebuke not an Elder, (or Pastor), but entreat him as a Father," is a plain command; and perhaps, had it been practically recognized, would have prevented the difficulties which now unhappily exist.

While I deeply sympathize with you and Mrs. Burns under this severe trial, I pray that you may realize under it the comfort which springs from the light of Jehovah's countenance; that you may come out of it as gold tried in the fire;—that "your righteousness may come forth as the light, and your judgment as the noon day"—and that your present sorrow may, ere long, be turned into joy. Afflictions are often instruments for good:—may you realize them in this case to be the means of great spiritual prosperity.

I am, my dear sir, yours faithfully,

J. LESSLIE.

Dr. Burns.

Toronto, Dec. 10th, 1855.

P. S.—You are at liberty to use this communication publicly should you deem it of any service.

I have reason to think that the sentiments expressed in the letter of Mr. Lesslie are sympathized in by nine-tenths of my congregation, and by not a few of the citizens at large. One proof of this last impression I give in the words of a highly respected member of the English Church, who has kindly sent me the following note:—

MY DEAR SIR,—I assure you it is with much pleasure that I have read in the *Colonist* of this morning, the letter addressed to you by Mr. Lesslie; which expresses so perfectly all that I could say, that I would beg you to receive it as an expression of my own sentiments as well as his. Although I may have occasionally differed in the management of

different charities in which we have engaged together, I have always felt that they were highly indebted to you for the indefatigable attention that they uniformly received from you. If the sympathy of friends at the present season is agreeable to you, be assured that it is most heartily accorded by, yours very sincerely,

JOHN ARNOLD.

Peter Street, 19th Dec., 1855.

With these expressions of sentiment from gentlemen of very different denominations, may be coupled the following extract from a letter of an esteemed friend belonging to another body, and who had occasion, on December 17th, to write me on a different topic:—

“ I avail myself of the occasion of this note, to tender you an expression of my continued esteem and regard, and truly do I sympathise with you in the trying and painful circumstances in which you have of late been placed; and if matters should yet become so unpleasant as to compel you to separate from your congregation in Toronto, rest assured you carry with you the good wishes of our Church and congregations generally, and the affectionate regard of every minister we have had stationed in this city.

“ I exceedingly regret to see that out of the matters of misunderstanding, a charge is alleged against you, intended to affect your moral and religious character, under the ambiguous terms of “ want of sincerity and honesty of purpose.” A man may easily imagine differences of opinion arising between a Pastor and his official brethren, and extending to members of his Congregation; but after an appeal to the numerical strength of a Church fails to settle the matters in dispute, and that opponents will not be satisfied with discussion and explanation, I confess there is little hope (short of some extraordinary interference) other than secession in the body. It is painful, my dear Sir, to have to look on, and observe men bringing up charges in sober seriousness, expressing a want of sincerity and honesty, and then being obliged to roam over a period of nearly seven years* to prove the assertion. Few men in Toronto who know you by name—much less those who have had intercourse with you—will believe such a charge as this. I have had the pleasure of your personal acquaintance ever since you came to Canada, and on many occasions, in the Committee-room, on the Platform, and in the halls of the Poor-house, alike advocating the extension of the cause of missions, of temperance, and of freedom, if not furthering everything partaking of a benevolent character and adopted in this city; and I believe it is the universal opinion of those who have associated with you, and have had the honour and the pleasure of your acquaintance, that there is not in any of the Churches a more faithful and laborious Pastor than yourself, and none more ready to engage in every good word and work. Wishing you every spiritual and temporal happiness, and that you may be sustained in this emergency, believe me, dear Sir, yours very respectfully,

R. H. BRETT,

Financial Secretary to the Missions of the Methodist Connexion in Canada.

* My friend should have said “nearly eleven”.

No. VIII.

Mr. Donald Fraser, the witness with whom Mr. McMurrich and others said that I tampered, has requested me to insert the substance of a letter which he has sent to the Presbytery Clerk, on the 21st December, and which is as follows:—

“On reviewing my evidence given before the Presbyterian Visitation Court held lately, in reply to a question if I had *any other* conversation in private interview with Dr. Burns in Session-room, about Messrs. Pyper and Campbell, I answered *No*. I now remember that I advised Dr. Burns to open Sabbath-school, and superintend it himself, as I felt disgusted with the conduct of Mr. Pyper in not praying publicly for his minister in the Sabbath-school.

“I cannot remember anything about Dr. Burns saying to me, “Ah, that is too favorable, &c.,” or words to that effect; and I am certain he did not use them; so that the averments of Messrs. McMurrich, &c., must be all fiction.” * * *
“DONALD FRASER.”

No. IX.

Reasons of Protest and Complaint to the Synod of the Presbyterian Church of Canada, against a sentence of that Court, by which the Regulations of 1706, regarding Presbyterian Visitations, were applied to a case which they were never intended to cover.

First, Because these Regulations, although adopted as an Overture, never received the sanction of the Church of Scotland as laws of the Church.

Second, Because this Presbytery has only of late resolved to enter on the work of Presbyterian Visitation, the rules for it having received its sanction at last meeting; and it does not seem meet to select as the first case, that of a minister and congregation so recently deprived of the benefits of an eldership.

Third, Because the constitutional law of Presbytery, requiring the case of a congregation without a Session, to be laid *instantly* before the Superior Court, in order to their supplying the want in the ordinary way, was promptly followed by me; and it was ungenerous as well as illegal to take advantage of this circumstance, to engraft on my communication to the Presbytery, a resolution for a sweeping review of my ministry for ten years past.

Fourth, Because, by placing me in the anomalous position of a party in this case, a most grievous injury has been done me, by depriving me at the very outset of the case, of all my deliberative and judicial rights.

Fifth, Because the resolution to go on in the face of my appeal, is at variance with all law, and subversive of all constitutional rights.

For these and for other reasons to be urged at the bar of the Superior Court when it meets, I protest and complain to the first meeting of the Synod of the Church, to be held at London, in June, 1856, or wherever it may assemble.

ROBERT BURNS.

Toronto, C.W., 6th December, 1855.

No. X.

Reasons of Protest and Appeal from a Sentence of the Presbytery of Toronto, in the case of Knox's Congregation, Toronto, 12th Dec., 1855.

I protest and appeal to the Synod,

1. Because the sentence is not warranted by the evidence, and was pronounced without giving me a hearing.
2. Because no censure is pronounced on Messrs. McMurrich and Shaw for charging me with "dishonesty," although the Presbytery pronounced the charge unsupported by proof.
3. Because the Presbytery have given no directions to the Session how to act in the premises, but have hung up a matter in which so many feelings are interested, to an indefinite period.

For these and other reasons to be urged at the bar, I hereby protest and appeal to the Synod, to meet at London, in June, 1856, and crave extracts.

ROBERT BURNS.

We, whose names are appended, do concur with the above, as parties and appellants:—

James Johnston.	William Gordon.	William Mather.
Alexander Hamilton.	Donald Campbell.	James Dick.
Thomas Dick.	William Hannah.	David Carlyle.
John Kerr.	George Oal.	Samuel Fullerton.
James Bain.	Thomas Mackay.	James Grant.
Alexander Mason.	George Mowat.	Donald Fraser.
William Clyne.	Daniel Macdonald.	Norman Bain.
Robert Stewart.	James Macdonald.	Robert Wishart.
R. D. Macpherson.		

The above twenty-five persons are all in communion, and, with the exception of one, are all heads of families.—R. B.

No. XI.

THE CONSTITUTION OF THE PRESBYTERIAN CHURCH
OF YORK, KNOWN BY THE NAME OF
"KNOX'S CHURCH."

First.—That every pew-holder shall pay to the respective workmen, the sum assessed on their pew by the Committee appointed for that purpose, within two weeks from this day, or the workmen will be at liberty to sell their pew or pews to others whom the Committee may approve; and also two quarters' rent to the Collector, for the Minister, within two weeks from this date.

Second.—That the present rent is what the pew-holders shall continue to pay quarterly, viz., 6s cy. for each pew of three seats, until it be otherwise altered by the consent of a majority of two-thirds of the pew-holders present at a general meeting.

Third.—That there be appointed a Committee of five persons to superintend the temporal affairs of this Congregation, and that a Collector shall be appointed, who shall be chosen out of the number. The duty of this Committee shall be:—

To agree with the minister as to his salary, and see that it be paid.
To appoint a Collector, in case of the death or absence of the one in office.

To see that good order is kept during the time of divine service.

To appoint times of collections, receive, keep account of, and dispose of the same.

To keep the key of the Church, and see that it be opened at a suitable time, and that it be kept clean. The discharge of this duty will require their attention to whatever may concern the interest and welfare of this Congregation.

They are required to appoint a Clerk, of their number, who shall keep an account, in a book, of the resolutions, agreed upon at the former, and the present meeting, and their own proceedings as a Committee, with that of future general meetings.

Fourth.—That the Committee be chosen annually, and that the members in office be re-eligible.

Fifth.—That there shall be a general meeting held annually on the 16th February; excepting when it may happen on the Sabbath-day, in which case the meeting shall be held on the Monday following, at which meeting the Collector and Committee in office shall report their proceedings for the year, and a new Committee and Collector chosen.

Sixth.—That the Committee, or three of its members (which constitute a majority), may at any time call a general meeting by giving a week's notice from the pulpit or in the public papers, at the same time stating the object of such meeting, and that no such general meeting shall act on anything, only such as may have been stated at the time the notice was given.

Seventh.—That when a Minister is chosen, or any matter occurs, which requires the public decision of this Congregation, each pew-holder shall vote according to the number of sittings he may occupy; and that the question be determined by a majority of votes.

Eighth.—That if any pew-holder or separate sitter neglect or refuse paying the quarterly rent for four quarters, he thereby forfeits his right to such holding, and the pew or sitting held by such, shall be at the disposal of the Committee.

Ninth.—That should any pew-holder at any time wish to dispose of his pew, he is at liberty to do so, *only* to such person or persons as the Committee may approve.

Tenth.—That no pew-holder shall refuse to act when chosen as Collector, or member of the Committee, on penalty of 25s cy.; and if they, or he, shall refuse to pay the same, he forfeits his pew or holding, and the Committee are authorised to sell the same.

Eleventh.—That all questions of a religious nature, respecting Church Government, discipline, &c., shall come under the cognisance of the Minister and Elders of this Congregation, when, in the Providence of God, a Church shall be formed in this place; and that the Minister and Elders be subject and accountable to a Presbytery for their conduct. That any Church question from the Church Session to the Presbytery and Synod agreeably to the rules in the Confession of Faith, the acknowledged standards of the Church of Scotland, and most other religious Churches.

Twelfth.—That being Presbyterians in profession, and, we trust, in principle, this House, in which we profess to worship the God of our forefathers, be known by the name of the "Presbyterian Church of York, Upper Canada."

Thirteenth.—Proposed by Mr. Ketchum, and passed—That eight pew-holders may at any time call a general meeting, by giving notice as

before-mentioned in the sixth resolution, and the majority of pew-holders, choose a new Committee when they may think necessary.

No. XII.

The above "Constitution" was adopted, or bears date in the books of the Church, "1822;" the Act of Parliament, which follows, was passed two years after.

CHAPTER XXXIV.

An Act to enable the Presbyterian congregation of York to purchase one or more parcels of ground, sufficient for the erection of a church and burying ground.

[Passed January 19, 1824.]

WHEREAS Jesse Ketchum, William Stevenson, Peter M'Phail, Harvey Shepard, and John Ross, on behalf of themselves and others, members of the Presbyterian congregation, resident of the town of York, have, by petition, requested a legislative authority to enable the petitioners, as trustees in this behalf, and the trustees hereafter to be chosen annually by the said congregation for the same purpose, to purchase one or more convenient parcel or parcels of ground in the said town and township of York, and to hold the same in perpetuity, for the erection of a place of worship, with other necessary buildings, and a burying ground; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the legislative council and assembly of the province of Upper Canada, constituted and assembled by virtue of and under the authority of an act passed in the parliament of Great Britain, entitled, "An act to repeal certain parts of an act passed in the fourteenth year of his Majesty's reign, entitled, 'An act for making more effectual provision for the government of the province of Quebec, in North America, and make further provision for the government of the said province,'" and by the authority of the same, That it shall and may be lawful for the said Jesse Ketchum, William Stevenson, Peter M'Phail, Harvey Shepard, and John Ross, or any two or more of them, as such trustees, and their successors in office, annually to be chosen by the said congregation, in all times hereafter, according to their present mode of vote, by the pew holders, for the time being, to purchase, have, hold, receive, and take, a conveyance of any such convenient parcel or parcels of ground in the said town and township of York, not exceeding three acres in the whole, as they may be enabled to contract for, for the purposes aforesaid, and that it shall and may be lawful for the said trustees, so purchasing such parcel or parcels of ground, and their successors, as aforesaid, to have and to hold the same to and for the uses and purposes aforesaid, in perpetuity for ever.

II. And in order to prevent the failure of such estate in succession, be it further enacted by the authority aforesaid, That the trustees for the time being, and their heirs, shall continue to be the trustees for the purposes of this act, till the new election of others, as hereinbefore mentioned, notwithstanding the expiration of the year for which such trustees for the time being may have been chosen.

No. XIII.

THE TREASURER'S NOTE.

Six months ago, Mr. Leask, our Treasurer, furnished me, at his own suggestion, and to show me how prosperously things were getting on, the following note. How it comes that things are all wrong *now*, it is not for me to explain.

" Seat rents received for the year ending March, 1854....	£383	4	2½
Do. do. do. 1855....	375	5	6
Deficiency for 1855.....	£7	18	8½
Deficiency accounted for by large amount of arrears £100 4s.			
" No. of new sittings let for year ending March, 1855, 163	£23	2	1
Sittings given up, 90.....	13	13	10½
Increase for 1855, 73.....per quarter...	£11	9	2½
Now my remarks are these:—			
Suppose only £100 of outstanding rents has been got in			
we stand thus.....1855....	£475	5	6
Do. 1854....	373	4	2½
Increase.....	£92	1	3½

Of the 163 "new sittings" taken during the year, *the whole* may be considered as so many representatives of actual occupants; and I should think that 163 seats really taken and paid for may very fairly represent 200 old and young. It is otherwise with the 90 sittings "given up." These do not *necessarily* indicate 90 *hearers lost to us*; for there are many cases occurring of families taking fewer seats one year than another, and yet remaining in the Church.

No. XIV.

SPECIMEN OF MR. PYPER'S MODE OF DEFENCE AGAINST THE PROTESTERS.

On October 23rd, 1855, when nine protests were given in to the Session, subscribed by 178 members of the congregation, 135 being communicants, Mr. Pyper, *by anticipation*, having prepared a reply of considerable length, laid it on the table, and then took his leave. Mr. Campbell followed his example, but declining to table his defence. Mr. Pyper's defence was one of 22 papers given in to the Presbytery as bearing on the case, and for some reason which I never could comprehend, not allowed to be read.

As a specimen of the style and sentiment of this gentleman, whom a gradation of Courts have ordered me to ordain as an Elder, I select the introduction and the conclusion, the intermediate parts being harsh tirades against three of the protesters.

"I rejoice that this protracted case is likely to be finally settled this evening, and, I trust, to the satisfaction of those who have from the first followed a course which, if engaged in a good cause, would redound to their credit, but in the present case can only add to their shame. It is well known to the Elders of the Congregation and those members who have taken an interest in the proceedings in our Church Courts, that every effort was made by Dr. Burns to procure a decision in his favour and wipe away, if possible, the stains attached to his character, and redeem his credit with his brethren in the Province, tarnished by the repeated charges made against him by the Elders, Trustees, and others of the Congregation of his general character and conduct—these charges proved again and again even by the teachers of the Sunday School. Any sane mind would have imagined that the decisions of the Session, Presbytery, and Synod would have been a final settlement of all differences between the parties; but in place of being satisfied with the verdict of his own friends, he descends from the position of a minister of the Gospel, knowing that, unless the contest could be waged under a new guise, he must either carry out the finding of the Synod or cease to be the pastor of Knox's Church. Out of the two evils thus presented, the least would appear to be, the continuing the war and the enjoyment of his stipend.

"With these preliminary remarks, it now becomes my solemn duty to charge Dr. B. with concealing a conspiracy, the most disgraceful that ever tarnished the annals of a congregation of professing Christians, with the sole object of preventing two men from entering his session, lest they might follow an independent course of action, and thus run counter to the domineering spirit which has distinguished Dr. B. ever since he came to the Province."

* * * * *

"In conclusion, after having reviewed the whole case, I am satisfied that in no instance have the interests of those who voted for me as an office-bearer of this church been placed in jeopardy, but have at all times defended them, often with much pain to myself and considerable encroachment on business hours. That my resignation is not now the result of clamour must be evident to all who have watched the proceedings from the first; but finding that a number of those who first voted for my election have signed the document now on the table, I am enabled for the first time to resign into their hands the trust committed to my charge. From henceforth I leave Dr. B., the Session, and Congregation to manage their business as they see fit."

The paper from which the above quotations are made is not the same with that referred to in my "reasons of protest" after the edict. Both of these papers, together with two of Mr. Campbell's, abound in most reckless assertions, and on the lowest estimate ought to be self-condemnatory of their authors. If the Presbytery intended a full investigation of the case, all these papers should have been produced, and then the question of my "*vexatious opposition*" would have appeared in its proper light.

ERRATUM.

On page 5, line 4, for "Held from the Fifth to the Twenty-Fifth of December, 1855," read "Held from the Fifth to the Twelfth of December, 1855."

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